



SHIRE OF ASHBURTON

ORDINARY COUNCIL MEETING

AGENDA

**Ashburton Hall, Ashburton Avenue,
PARABURDOO**

16 March 2011

**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 Wednesday 16 March 2011 at the Ashburton Hall, Ashburton Avenue, Paraburdoo commencing at 3.00 pm.

The business to be transacted is shown in the Agenda.

Jeff Breen
CHIEF EXECUTIVE OFFICER

11 March 2011

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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1.03.0 DECLARATION OF OPENING

1.03.01 SWEARING IN OF COUNCILLOR

Dennis Wright will be sworn in as a Councillor for the Pannawonica Ward.

2.03.0 ANNOUNCEMENT OF VISITORS

3.03.0 ATTENDANCE

Cr G Musgrave	Shire President, Tom Price Ward
Cr L Rumble	Deputy Shire President, Paraburdoo Ward
Cr T Bloem	Tom Price Ward
Cr I Dias	Paraburdoo Ward
Cr L Thomas	Tableland Ward
Cr K White	Onslow Ward
Cr L Shields	Tom Price Ward
Cr D Wright	Pannawonica Ward
Mr J Breen	Chief Executive Officer
Mr L Softley	Executive Manager Community & Economic Services
Ms A O'Halloran	Executive Manager Western Operations
Mr F Ludovico	Executive Manager Corporate Services
Ms J Smith	Executive Assistant CEO
Mr Rob Paull	Principal Town Planner

3.03.02 APOLOGIES

Cr L Corker Ashburton Ward

3.03.03 APPROVED LEAVE OF ABSENCE

4.03.0 PUBLIC QUESTION TIME

4.03.01 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the Ordinary meeting of Council held on 16 February 2011 public questions were responded to at the meeting.

4.03.02 PUBLIC QUESTION TIME

5.03.0 APPLICATIONS FOR LEAVE OF ABSENCE

An application has been received from Cr Corker for leave of absence for the Council meeting being held 20 April 2011.

6.03.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

6.03.01 PETITIONS

6.03.02 DEPUTATIONS

6.03.03 PRESENTATIONS

Mick Anstey from Flinders Mine will be making a presenting on introduction, timelines and nature of the Flinders Mine Project.

Shelly Pike, Chief Executive Officer, Pilbara Regional Council, will be making a presentation “PRC Runs on the Board” outlining the PRC Strategic Plan, Annual Plan and budget.

Mr Giles Nunis, Deputy Director General, Department of Statement Development has been invited to address Council on matters associated with the Draft Scheme Amendment No. 10 and the Draft Structure Plan ANSIA.

Mr Brian Smith, General Manager – Wheatstone, Chevron Australia Pty Ltd has been invited to address Council on matters associated with the Draft Scheme Amendment No. 10 and the Draft Structure Plan ANSIA.

7.03.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.03.01 ORDINARY MEETING OF COUNCIL HELD ON 16 February 2011

Officers Recommendation

That the Minutes of the Ordinary Meeting of Council held on 16 February 2011, as previously circulated on 2 March 2011, be confirmed as a true and accurate record.

7.03.02 AUDIT COMMITTEE MEETING HELD ON 16 February 2011

Officers Recommendation

That the Minutes of the Audit Committee Meeting held on 16 February 2011, as previously circulated on 2 March 2011, be confirmed as a true and accurate record.

8.03.0 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

9.03.0 DECLARATION BY MEMBERS

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

9.03.01 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.
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.

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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.

10.03.0 ENGINEERING SERVICES REPORTS

10.03.05 RFT 05/11 SHIRE STAFF HOUSING PROJECT IN TOM PRICE

FILE REFERENCE: AS.TE.05/11

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

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 4 March 2011

DISCLOSURE OF FINANCIAL INTEREST: The author has no financial interest

PREVIOUS MEETING REFERENCE: Agenda Item 10.07.16 Ordinary Council Meeting 21 July 2010

Summary

Tenders were called for the design and construction of two staff houses in Tom Price on 23 February 2011. The Tender provided for a 2 bedroom house to be constructed at the rear of Lot 825 Warara Street and a 6-8 bedroom staff house constructed at Lot 27 Willow Road.

The Tender period closes at 3.00pm on 11 March 2011. At the time of writing the report the outcome of the tender was unknown and the results will be provided at the Council Meeting.

Background

Following on from the Ordinary Council Meeting held on 21 July 2010, when it was approved to change the purpose of Reserve 39500 (Lot 27) Willow Road, Tom Price to 'Staff Accommodation', ratification was received from Department of Regional Development and Lands (RDL) on 23 September 2010.

A Request for Tender was issued on 23 February 2011 to design and construct a 6 – 8 bedroom house on this block, suitable for shire staff accommodation. As a separable portion of the Tender, a request was also issued for the design and construction of a 2 bedroom, 2 bathroom house to be constructed at the rear of the existing dwelling at Lot 825 Warara Street, Tom Price. This lot is owned by the Shire of Ashburton for staff accommodation purposes. Part of this separable portion required a new 'Colorbond' patio to be erected at the front of the existing dwelling.

Comment

The Shire is experiencing a drastic shortage of staff accommodation, with all shire-owned houses occupied and a further 6 houses leased on a short-term basis from Rio Tinto. The housing shortage

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is impacting on the ability of the Shire to attract and retain key staff, and proceed with projects that are needed to sustain and develop the community.

A budget of \$1,000,000 has been allocated to the design and construction of housing at Lot 27 Willow Road, Tom Price. \$350,000 has been budgeted for the design and construction of the rear house at Lot 825 Warara Road, Tom Price.

A Tender Panel consisting of the Chief Executive Officer, Land Development & Marketing Coordinator and Project Manager Town Centre Revitalisation will assess the Tenders based on the following criteria:

Price	40%
Submitted design(s)	30%
Time frame submitted for completion	20%
Relevant experience	<u>10%</u>
	100%

The Tenders were received and assessed in accordance with the attachment.

Consultation

Chief Executive Officer
Principal Town Planner
Manager Building Services

There has been no community consultation on this matter.

Statutory Environment

Local Government Act 1995 (as amended) Tenders for Providing Goods or Services Section 3.57

Policy Implications

None anticipated

Financial Implications

A budget of \$1,000,000 has been allocated to Lot 27 Willow Road, and \$350,000 to Lot 825 Warara Street projects.

Strategic Implications

The sale 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”.

Voting Requirement

Simple Majority Required

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Officers Recommendation

That Council:

1. Approves the Tender submitted by for the amount of \$..... for the design and construction of Lot 27 Willow Road, Tom Price.
2. Approves the Tender submitted by for the amount of \$..... for the design and construction of Lot 825 Warara Street, Tom Price.
3. Provides delegated authority to the Chief Executive Officer to negotiate with the approved Tenderers as required and sign all contracts.

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

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10.03.04 ENGINEERING SERVICES DECISION STATUS REPORT

#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
1	02/11	10.02.01	Tip Opening Hours – Onslow Tip	That Council: <ol style="list-style-type: none"> 1. Approve to close the Onslow Landfill Site one day per week, being Sunday, effective from 6 March 2011; and 2. Directs the CEO to advertise the intention to close the operation of the Onslow Landfill site on Sunday of every week. 3. Directs the CEO to review the closure in May 2011. 	Advertising carried out. Sunday closure enacted. (March '11)
2	02/11	16.02.03	Confidential Item – Private Works – BHPB ANSIA Road Macedon Dom Gas Plant	That Council: <ol style="list-style-type: none"> 1. Agrees in principle to pursuing the BHPB tender for access road construction for the Macedon LNG Project. 2. Appoints a project control group consisting of Cr Musgrave, Cr Corker, Cr Shields and Cr White (as proxy), the CEO and Operations Manager to consider the tender in greater detail and if the contract is offered to the Shire, advise whether to proceed or not. 3. Acting on the advice of the working party delegates the CEO to either accept or reject the contract. 4. Delegates the CEO, on the expiry of the statutory 6 week period, to accept the Business Plan providing no submissions have been received. 	Ongoing (March '11)
3	12/10	10.12.29	Onslow Townsite – Access to Water Corporation Tank Site Reserve 32702	That Council advises the Water Corporation: <ol style="list-style-type: none"> (a) Supports the realignment of the water main down Third Avenue on the eastern side of the reserve on the approved Water Corporations alignment offset, the along the south side of the road reserve which joins Second Avenue to Third Avenue until rejoining the water main at the laneway easement. (b) Suggests that the Water Corporation may wish to implement an interim access track realignment through arrangements with the owner of lot 381 until formal access to lot 381 is resolved as part of a formal development application at which time the access can be constructed to an approved Shire standard at cost between relevant parties. (c) When the final Road is constructed to an agreed standard and approved alignment the Shire of Ashburton will then gazette the road and become responsible for all ongoing maintenance. 	Watercorp advised (Feb 2011)
4	10/10	10.10.22	Proposed Relocation Of Recycling Facilities at Tom Price and Paraburdoo	That Council: <ol style="list-style-type: none"> 1. Relocate the recycling 'drop off' facilities in Tom Price to the Tom Price Land fill site. 	Ongoing Works to be completed by

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#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
				2. Monitor the level of activity at the Paraburdoo Recycling Station with the understanding that this facility may, after consultation and agreement with the Paraburdoo Councillors be moved to Paraburdoo Land fill site.	end March (March 2011)
5	10/10	15.10.23	RFT 18/10 Structure Review	That Council: 1. Receive the report, and 2. Endorse the assessment panel's recommendation that Morrison Low be awarded the contract for the Structure Review RFT 18/10 for the sum of \$129,600.	Council and staff workshops held mid February. (March 2011)
6	05/10	10.05.10	Shire Logo and Policy	That Council; 1. Approves the Logo Policy (Attachment 10.05.10c) 2. Approves the Tom Price logo and tag line "Experience It" 3. Approves in principle of the logo for the Shire of Ashburton, Paraburdoo, Onslow and Pannawonica and directs the CEO, through public consultation, to provide to Council recommendations for approval of tag lines for each.	Ongoing. Policy implementation being implemented internally. Tag lines for towns to be established. (July 2010)
7	04/10	10.04.08	Funding of Proposed Pergolas, Bellary Springs, Wakathuni Aboriginal Communities	That Council: Approves the contribution of \$30,000 as allocated in the 2009/10 budget to IBN Corporation for the construction of steel framed pergolas at the Wakathuni and Bellary communities.	Pergola completed at Bellary, Wakathuni commenced. (March 2011)
8	10/09	10.10.27	Business Plan for a Major Land Transaction – Warara Street, Strata Title Land Development	That Council; 1. Endorses the Business Plan - Major Land Transaction – Warara Street Strata Title Land Development. 2. Directs the CEO to advertise tenders for the work and to report back to Council for acceptance of the tender.	See report March Ordinary meeting
9	08/09	10.08.22	Temporary Road Closure – Yampire Gorge Road	That Council 1. Proceed with the closure to vehicular traffic of Yampire Gorge Road, all sections for a further period of eighteen (18) months. 2. Instruct the Chief Executive Officer to place signage to this effect. 3. Instruct the Chief Executive Officer to notify relevant authorities and stakeholders as to the continued closure of the road.	Ongoing. Closure being implemented. (Mar 2011)

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#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
10	08/08	10.08.13	Proposed Sale of Land – Lot 308 Boonderoo Road, Tom Price	<p>That Council;</p> <ol style="list-style-type: none"> 1. Directs the EMES to carry out a preliminary subdivision design for the vacant Lot 308 Boonderoo Rd land owned by the Shire. 2. Directs the EMES to seek a valuation of the proposed subdivision and prepare a detailed cost estimate for all works including survey, design and construction. 3. Subject to financial viability, directs the CEO to call tenders for the subject land subject to the proviso that subdivision of the land, availability of title and provision of services be completed within 6 months of the sale, and the tender be on the basis that there is no requirement to accept any tender 	See report March meeting
11	04/08	10.04.08	Relocation of Onslow Landfill	<ol style="list-style-type: none"> 1. That the new Onslow Landfill Site be located adjacent to Onslow Road, 17km from Onslow as identified as Site 3 by the consultant, Sinclair Knight Mertz in its report titled 'Onslow Landfill Options' subject to environmental approvals being forthcoming. 2. That following relevant approvals being obtained for Site 3, the site be used as the new Onslow Landfill Site. A Further transfer station be established on the existing landfill site in Eagle Nest Rd following closure and rehabilitation of that site. 3. That funds amounting to \$100,000 be transferred from the Urban Road Maintenance Account No E121045 (Spent to Date \$135,000 from budget \$410,000) and that a new account be established to carry out further investigative works on Site 3 prior to seeking approvals and final design. 	<p>Ongoing.</p> <p>Investigation in place for Class 4 landfill to serve Pilbara and, in parallel, second preference site from SKM report. (March 2011)</p>

Officers Recommendation

That Council note the contents of the Engineering Services Decision Status Report.

11.03.0 COMMUNITY & ECONOMIC SERVICES REPORTS

11.03.04 ADOPTION OF SHIRE OF ASHBURTON – TOURISM DESTINATION STRATEGY

FILE REFERENCE:	CS.IN.02.00
AUTHOR'S NAME AND POSITION:	Larry Softley Executive Manager Community & Economic Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	6 March 2011
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in this matter.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

This report recommends that Council adopt the Shire of Ashburton Tourism Destination Development Strategy. Council has been working towards the development of a new Tourism Destination Development Strategy to enhance the long term economic sustainable development of tourism in the Shire of Ashburton. The draft Tourism Destination Development Strategy was workshopped with the RBA Consulting - Matt Bird following Councils Ordinary Meeting held at the Barry Lang Centre Pannawonica on 17 November 2010.

Background

RBA Consulting were contracted by the Shire of Ashburton to review its current tourism investment and visitor based programs and to prepare a Tourism Strategy for the greater Shire destination. The Strategy is written to assist the Shire in its planning for tourism development over the next 5 years.

The draft Tourism Destination Development Strategy was workshopped with the consultant Matt Bird following Councils Ordinary Meeting held at the Barry Lang Centre Pannawonica on 17 November 2010. Following the workshop Councillors were asked to consider and further comment on the draft Tourism Destination Development Strategy and send comments back to the writer to address any changes to the strategy that may be required prior to adoption.

ATTACHMENT 11.03.03

Comment

The Strategy identifies key issues that should be addressed by the Shire in order to achieve its full potential as a vibrant visitor destination. The report is divided into three key areas of review namely;

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Visitor Servicing; Marketing and Destination Promotion; and Tourism Investment. To gain a strong understanding of the Shire of Ashburton visitor destination the project consultants have conducted a number of personal interviews with local tourism industry representatives, Shire of Ashburton staff and elected representatives, visitor centre staff and management, broader tourism industry representatives including Tourism WA, Australia's North West and other Regional Tourism Organisations. Extensive travel through the Shire was carried out with the consultant team visiting the major towns of Tom Price, Paraburdoo, Pannawonica, and Onslow, as well as major tourist attractions within the Shire boundary. In addition to the above, a desk top review and analysis of available written information was carried out.

Consultation

Key Stakeholders
Councillors
Chief Executive Officer
Executive Management Team
Staff

Statutory Environment

Section 5.56 the Local Government Act 1995.
Section 19C & 19D Local Government Act (Administration) Regulations 1996.

Policy Implications

The development of a new tourism strategic plan may influence the need to develop other policies and procedures.

Financial Implications

The financial implications of preparing a new Tourism Destination Development Strategy have been at a final cost of \$22,374.00.

Strategic Implications

Strategic Plan 2007-11 – Diversify and Strengthen the Economy.

Voting Requirement

Single Majority Required.

Officers Recommendation

That Council adopt the Tourism Destination Development Strategy.

Author: Larry Softley	Signature:
Manager: Jeff Breen	Signature:

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11.03.04 COMMUNITY & ECONOMIC SERVICES DECISION STATUS REPORT

#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
1	02/11	11.02.02	Authorised Officers (Dog Act 1976) Onslow	That Council: 1. Appoints Wayne Male and Ken Grant as Authorised Officers of the Dog Act 1976 and Dog Regulations 1976; and 2. Advertises the appointment in accordance with each Act.	Finalised. (Mar 2011)
2	12/10	11.12.14	SES – Tom Price – Training Tower Budget Amendment	That Council authorise the expenditure of up to \$35,000 for the repair of the Tower at the Tom Price SES Unit.	Rio Tinto building approval received 4/2/11. Contractor scheduling work. (Dec 2010)
3	11/10	15.11.24	Bush Fire Advisory Committee	That Council: 1. Accept the minutes of the Bush Fire Advisory Committee held on 9 November 2010. 2. Revokes all previous FCO appointments and appoints: (a) Morgwn Jones as CBFCO Ian Chance as DCBFCO Chris O'Connell as DCBFCO Sebastian Reeve as FCO Geoff Harrison as FCO Peter Nazarovs as FCO Darryl Hannah as FCO Paul Madden as FCO For the whole of the Shire of Ashburton. (b) Ivan Dias as FCO Robert Morgan as FCO For the Paraburdoo area (c) Michael Booth (CBFCO Shire of Roebourne) as FCO Andrew Norris (CBFCO Shire of East Pilbara) as FCO Peter Wilden (CBFCO Town of Port Headland) as FCO For those areas where the Shires share a boundary. 3. Provides up to \$5000 for a purpose built Emergency Signage trailer. 4. Provides up to \$500 for signage at the Boonderoo Rd Station.	Under the ACT all FCO's are appointed by the Bush Fire Advisory Committee (BFAC) and endorsed by Council. The EMA in Paraburdoo has resigned and the BFAC have taken him off the list of FCO's in Paraburdoo, however once the replacement EMA is employed he will be appointed by due process to be recognised as an additional FCO for Paraburdoo. (Nov 2010)

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#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
				5. That a third nomination be sought from the Bush Advisory Committee for the Paraburdoo area.	
4	08/09	11.08.12	Location of Entry Statement – Tom Price	Council appoint Crs Fernandez, Musgrave and Bloem, the Executive Manager, Community & Economic Services Larry Softley and the Executive Manager, Engineering Services, Jeff Breen to a working group for the purpose of looking at all the options for the establishment of the Tom Price Town Entry Statement.	Ongoing. Meeting with Mike Fisher and Mark Eaglesham to discuss design / implementation of rock painted by local Aboriginal Artist as a feature of the entry statement 24 th August. Due to Mark Eaglesham's leave arrangements will now be meeting 23 rd September 2010. Mike Fisher to develop conceptual plans for presentation to Councillors. Shire President emphasized that after the discussions and presentation by Matt Bird on the Shire Tourism Strategic Plan it had occurred to him that we need to take an holistic approach to the Shires developments of all entry statements and information bays within our Shire towns and decide how we will approach these developments in light of the fact that the PRC has commissioned consultants to report back on a common approach to information bay and town signage from a tourism perspective. It was decided

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					by the Tom Price Entry Statement Working Group to await the outcomes of the PRC consultant. (Sept 2010)
5	08/08	11.08.08	Review of Council Policies – Recreation & Culture	Requests the Chief Executive Officer to conduct a further review in relation to Council Policies REC05 & REC07 and report back to Council.	Ongoing. Policies REC05 & REC07 when Council finalises the Tourism Strategy. (Sept 2010)
6	10/08 02/08	11.10.26 11.02.01	Reconstruction of Vic Hayton Memorial Swimming Pool	<ol style="list-style-type: none"> 1. Resolves to bring forward funding of \$400,000 this fiscal year 2008/2009 for the construction of the smaller pool at the Vic Hayton Memorial Pool Tom Price. 2. Resolves to endorse the early start of construction (pending confirmation of RIFP funding) by ACS Pty Ltd for the construction of the smaller pool at the Vic Hayton Memorial Pool Tom Price. <p>Council decision as at February 2008 That Council;</p> <ol style="list-style-type: none"> 1. Directs the CEO to secure the necessary funding to refurbish the Vic Hayton Memorial Pool; 2. Providing that the necessary funds are available, resolves to refurbish the Vic Hayton Memorial Pool generally in the following manner; <ul style="list-style-type: none"> o Refurbishment of the existing pool, retaining it as a 50metre, six lane facility including removal of the surrounding upstand, increase in return water gutter capacity, installation of a semi-wet deck, installation of new waterstop joints, tiling and provision of new hardware o Upgrade of balance tank and plant room including new pumps and filtration system and extension of plant room o Demolition of existing toddler's pool and construction of new toddler's of semi – circular shape with radius 3.81m and depth 230mm to 300mm connected to a children's pool, being a rectangular pool with curved sides 6.1m x 12.8m and depth 760mm to 910mm. 	Ongoing. Pool opened to public on 24 September 2010. Official pool opening being planned for late November 2010. Due to non availability of Ministers the official opening has been postponed to the new year. (Nov 2010)

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#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
				<ul style="list-style-type: none"> ○ Demolition and construction of concrete concourse including new drainage ○ Upgrade lighting to required standard ○ Refurbishment of existing office, kiosk, change rooms and toilets; 3. Providing that the necessary funds are available, resolves to direct the Executive Manager Community & Economic Services to call a Design and Construct Tender for the works. 	

Officers Recommendation

That Council note the contents of the Community and Economic Services Status Report.

12.03.0 CORPORATE SERVICES REPORTS

12.03.09 USE OF COMMON SEAL UNDER DELEGATED AUTHORITY

FILE REFERENCE:	AS.AS
AUTHOR'S NAME AND POSITION:	Janyce Smith Executive Assistant CEO
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	4 March 2011
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in this matter.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

This report details the use of the Common Seal of the Shire of Ashburton under Delegated Authority.

Background

At the 11 April 2006 Council Meeting, Council noted the contents of a report which outlined a proposal to regularly inform Council of details relating to the use of the Common Seal.

Comment

The Common Seal has not been affixed to any documents since this matter was last reported to Council.

Consultation

Chief Executive Officer

Statutory Environment

Section 9.49 of the *Local Government Act 1995*

Policy Implications

There are no policy implications relevant to this issue.

Financial Implications

There are no specific financial implications related to this issue.

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Strategic Implications

Strategic Plan 2008-2011 (Incorporating Plan for the Future)

6 – Well Managed and Contemporary Corporation

Statutory Compliance, compliance with Shire of Ashburton procedures and policies

Voting Requirement

Simple Majority Required

Officers Recommendation

That Council note the contents of this *“Use of Common Seal under Delegated Authority”* report.

Author: Janyce Smith	Signature:
Manager: Jeff Breen	Signature:

12.03.10 RECEIPT OF FINANCIALS AND SCHEDULE OF ACCOUNTS FOR MONTHS OF JANUARY AND FEBRUARY 2011

FILE REFERENCE:	FI.RE
AUTHOR'S NAME AND POSITION:	Linda McCarthy Finance Manager
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	8 March 2011
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in this item
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:

January 2011

- Statements of Financial Activity and associated statements for the Month of January 2011.

ATTACHMENT 12.03.10a

February 2011

- Credit Card Statements for Chief Executive Officer, Executive Managers of Engineering Services, Community & Economic Services, Western Operations and Corporate Services, and Manager of Building Services.
- Schedule of Accounts paid under delegated authority.

ATTACHMENT 12.03.10b

Consultation

Executive Manager Corporate Service
Other Executive Managers
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

Policy Implications

There are no Council Policies relevant to this issue.

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

Voting Requirement

Simple Majority Required

Officers Recommendation

That Council receive the Financial Reports for January 2011 and Schedule of Accounts and Credit Card Statements for February 2011.

Author: Linda McCarthy	Signature:
Manager: Frank Ludovico	Signature:

12.03.11 DEBTORS FOR WRITE OFF

FILE REFERENCE: FI.RE

AUTHOR'S NAME AND POSITION: Natalie Briney
Accounts Receivable/Payable Officer

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 15 February 2011

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

PREVIOUS MEETING REFERENCE: Not Applicable

Summary

This is a request for writing off Bad Debts to a total value of \$2327.72

Background

The Accounts Receivable area has undergone substantial debt recovery in the past year to ensure Council's financial matters are up to date and accurate. The following Bad Debts are requested to be written off.

Comment

Debtor No. 125 – Wade Lyndon

The Debtor is an ex-employee who is now believed to be located in one of the Aboriginal Communities outside of Paraburdoo.

The debt which is made up of electricity charges from the time the Debtor was employed by the Shire of Ashburton, was sent to Austral Mercantile, Council's Preferred Debt Collection Agency. Austral advised that they do not have any field agents located in Paraburdoo and that the closest agent is approximately 510kms one way. Therefore, the cost to send a field agent, far outweighs the debt and they have recommended that we close the file and Write Off the outstanding debt.

Total request to write off for Wade Lyndon - \$2327.72.

ATTACHMENT 12.03.11

Consultation

Executive Manager Corporate Services
Finance Manager
Accounts Receivable/Payable Officer

Statutory Environment

Section 6.12 of the Local Government Act 1995 states:

- (1) Subject to subsection (2) and any other written law, a local government may –
 - a) When adopting the budget, grant* a discount or other incentive for the early payment of any amount of money;
 - b) Waive or grant concessions in relation to any amount of money or
 - c) Write off any amount of money,
Which is owed to the local government

* Absolute majority required

Policy Implications

Policy DA008 Delegated Authority – Writing Off Debts
Policy FIN13 Accounts Receivable Recovery

Financial Implications

The total amount of Debt under consideration is \$2327.72.

Strategic Implications

Strategic Objective 6 – A well managed and contemporary Corporation, Action 6 - Implement a transparent, equitable and financially sustainable finance and rates strategy.

Voting Requirement

Absolute Majority Required

Officers Recommendation

That Council Write Off the following debts:

- 1. Wade Lyndon - Invoice No. 1650 - \$112.15
- 2. Wade Lyndon – Invoice No. 1700 – \$982.48
- 3. Wade Lyndon – Invoice No. 2739 - \$535.62
- 4. Wade Lyndon – Invoice No. 2742 - \$154.42
- 5. Wade Lyndon – Invoice No. 3261 - \$543.05

Total Value = \$2327.72

Author : Natalie Briney	Signature :
Manager : Linda McCarthy	Signature :

12.03.12 WEBSITE MANAGEMENT POLICY

FILE REFERENCE:	OR.CM.1
AUTHOR'S NAME AND POSITION:	Lisa Hannagan Administration Manager
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	16 March 2011
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in this matter.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

The objective of the Website Management Plan is to establish guidelines and procedures and set out the responsibilities of authorised users and administrators.

The attached report is presented to Council for adoption.

Background

The Shire of Ashburton's website was developed in 2010 and is a vital tool and resource. It contains a wealth of information and has been set up so that we are able to simply edit and add content when required.

Recently a Facebook link has been added to the SoA website. While there are many opinions about the value of social media sites and just how effective they are at communicating, some WA Shires are finding them useful (Shire of Pingelly, Shire of Dalwallinu to name but two).

While it is appropriate that SoA are embracing new applications to enhance communication, it is necessary that Council is aware of the implications in using this technology and the need to ensure guidelines and policies are in place to manage the processes.

Current Situation

There are no clear outlines as to who is responsible for different areas of the site and consequently the information contained on the website is not always current.

Many people have administrator privileges to the SoA website and are able to add content such as tender advertising and documents, adverts for vacancies, announcements, media releases etc. A formal policy and guidelines would help ensure that certain standards are maintained.

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In relation to Facebook, there is a need for regular maintenance. Also, it is important to note that anything that is posted to Facebook is a State Record under the State Records Act.

If Facebook is to continue to be used, it is essential that the creator /responsible person needs to maintain, add regular posts, respond to incoming posts, ensure records management procedures are followed etc.

Current staffing situation with people flying in and out, working non standard rosters/hours and the simple fact of high staff turnover mean it is even more crucial that we have guidelines in place.

The Attached Policy addresses these issues.

ATTACHMENT 12.03.12

Comment

It is of the utmost importance that the quality of the website is maintained and that the integrity of information contained is to the highest standard. Our website will often provide online visitors the first impression of the Shire of Ashburton (SoA) and there is no doubt that first impressions count!

Consultation

Internal consultation between the CEO and the Executive Management Team

Statutory Environment

There is no Statutory requirement relative to this issue.

Policy Implications

ADM04 – Records Management
ADM06 – Use of Shire of Ashburton & Associated Town Logo
CSO02 – Media Activity
CSO24 – Access and Use of Information Systems
FIN12 – Tender Policy

Financial Implications

There are no financial implications relative to this issue.

Strategic Implications

Shire of Ashburton Strategic Plan (Incorporating Plan for the Future) 2007/2011
Strategic Objective 6 – A Well Managed and Contemporary Organisation
Statutory Compliance, compliance with Shire of Ashburton procedures and policies.

Voting Requirement

Simple Majority Required

Officers Recommendation

That Council Adopts the Website Management Policy as per Attachment 12.02.12.

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

12.03.13 LOCAL GOVERNMENT COMPLIANCE AUDIT RETURN FOR 2010

FILE REFERENCE: OR.IG.2.13

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

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 16 March 2011

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

PREVIOUS MEETING REFERENCE: Agenda Item 12.03.21 Ordinary Meeting of Council
15 March 2010

Summary

Each Local Government is to carry out a Compliance Audit annually for the period of 1 January 2010 to 31 December 2010.

The return for the year 2010 is presented to Council for adoption.

Background

The 2010 Local Government Compliance Audit Return for the period 1 January 2010 to 31 December 2010 is attached.

ATTACHMENT 12.03.13

The Compliance Audit Return is to assist Councils in monitoring how their organisation functions. Council is required to note the areas of non-compliance and endorse appropriate remedial action.

Please note the Chief Executive Officer and the relevant Executive Managers completed the Return manually and the Return was transcribed onto the Department of Local Government & Regional Development's electronic system by the Administration Manager, Lisa Hannagan.

Comment

The Return is required to be presented to Council for adoption before its submission to the Department of Local Government and Regional Development.

Statutory Environment

Section 7.13 (i) of the Local Government Act 1995; and
Regulations 13, 14 & 15 of Local Government (Audit) Regulations 1996

Policy Implications

There is no Council Policy relative to this issue.

Financial Implications

There are no financial implications relative to this issue.

Strategic Implications

Shire of Ashburton Strategic Plan (Incorporating Plan for the Future) 2007/2011

Strategic Objective 6 – A Well Managed and Contemporary Organisation

1. *Statutory Compliance, compliance with Shire of Ashburton procedures and policies.*

Voting Requirement

Simple Majority Required

Officers Recommendation

That Council adopts the Compliance Return, as attached, as the official Return of the Council for the period 1 January 2010 to 31 December 2010 and submit the certified copy to the Executive Director of the Department of Local Government and Regional Development.

Author : Frank Ludovico	Signature :
Manager : Jeff Breen	Signature :

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12.03.14 CORPORATE SERVICES STATUS REPORT

#	Council Meeting	Agenda Ref.	Report Title	Council Decision	Current Status
1	02/11	12.02.03	Request by Thudgari People for a donation of a portion of Shire rates	That Council respectfully declines the Corporation's request that Council contribute a portion of its rate income to the Thudgari People.	Completed. Letter sent. (Feb 2011)
2	02/11	12.02.04	Lyndon Land Conservation District Committee (LCDC)	That Council: 1. Appoint Mr Kimberly de Pledge of Yanrey Station to represent the Shire of Ashburton on the Lyndon Land Conservation District Committee. 2. Request the Secretary of the Lyndon Land Conservation District Committee to report back to Administration by forwarding copies of the minutes for each meeting in order to keep Council informed.	Completed. Notification sent. (Feb 2011)
3	02/11	12.02.05	2009/2010 Annual Report and Annual General Meeting of Electors	That Council: 1. Received the report of the Audit Committee. 2. Accepts the Annual Report for 2009/2010 as tabled; and 3. That Council hold an Annual General Meeting of Electors Ashburton Hall – Paraburdoo on Wednesday 16 March 2011 commencing at 7.00pm.	Completed Annual Report sent to the Department of Local Government. Availability of Annual Report advertised Annual Electors Meeting organised. (Feb 2011)
4	02/11	12.02.07	Ordinary Meeting of Council – Schedule of Meeting Dates, Times and Location	That Council: 1. Adopt the Schedule of Meeting dates, times and locations for the period March 2011 to December 2011 as outlined below; and 2. Pursuant to section 5.25(g) of the Local Government Act 1995, give local public notice of the Schedule of Meeting dates, times and locations for the period March 2011 to December 2011.	Completed. Advertised in the West Australian & Pilbara Newspapers, public

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#	Council Meeting	Agenda Ref.	Report Title	Council Decision			Current Status
				DATE	LOCATION	TIME	
				Wednesday, 16 March 2011	Ashburton Hall Ashburton Avenue, Paraboradoo	3:00 pm	noticeboards and internet. (Feb 2011)
				Wednesday, 20 April 2011	RM Forrest Memorial Hall, Second Avenue, Onslow	3:00 pm	
				Wednesday, 18 May 2011	Meeting Room, Community Recreation Centre, Tom Price	3:00 pm	
				Wednesday, 15 June 2011	Barry Lang Centre, Pannawonica	3:00 pm	
				Wednesday, 20 July 2011	Ashburton Hall Ashburton Avenue, Paraboradoo	3:00 pm	
				Wednesday, 17 August 2011	Meeting Room, Community Recreation Centre, Tom Price	3:00 pm	
				Wednesday, 21 September 2011	RM Forrest Memorial Hall, Second Avenue, Onslow	3:00 pm	
				Wednesday, 19 October 2011	Ashburton Hall Ashburton Avenue, Paraboradoo	3:00 pm	
				Wednesday, 16 November 2011	Meeting Room, Community Recreation Centre, Tom Price	3:00 pm	
				Wednesday, 14 December 2011	RM Forrest Memorial Hall, Second Avenue, Onslow	3:00 pm	
5	12/10	12.12.80	Shire of Ashburton Five (5) Year Forward Capital Works Program 2010	The Council adopted the Shire of Ashburton Five (5) Year Forward Capital Works Program 2010.			
6	12/10	12.12.79	Reallocation of Funds Country Local Government Fund Year 1	That Council request the Department of Regional Development to reallocate the Shire of Ashburton's Country Local Government Fund Year 1 funding as follows:			Letter sent to the Dept for Regional Development

AGENDA – ORDINARY MEETING OF COUNCIL 16 MARCH 2011

#	Council Meeting	Agenda Ref.	Report Title	Council Decision					Current Status
				Code	Description	CLGF1	Change	New Allocations	
				BC362	Tom Price Sports Pavilion	175,000	-175,000	0	and Lands (Feb 2011)
				GE010	Peter Sutherland Oval - Softfall	5,000	-5,000	0	
				BC319	Para Toilet Upgrade	1,208	-1208	0	
				C037	Meeka Park	900	-900	0	
				C038	Doug Talbot Park	100	-100	0	
				GE012	TP Entry Statement	50,000	-50,000	0	
				CE 013	Install Tourist Info Boards	40,000	-40,000	0	
							-272,208	0	
				Reallocations					
				C100	Dual Pathways Onslow	0	+206,920	206,920	
				C102	Dual Pathways – Tom Price		+65,288	65,288	
					TOTAL		272,208	272,208	
8	05/10	12.05.37	Repeal of Defunct and Obsolete Local Laws	That Council pursuant to section 3.12 of the Local Government Act 1995, give state wide public notice that it intends to make the Shire of Ashburton Repeal Local Law 2010, 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. (Attachment 12.05.37).					Ongoing Advertisement being drafted by Local Laws Consultant (June 2010)
9	12/09	12.12.76	Realignment of Hillside Pastoral Station Boundary Border	That Council defer consideration of the agenda item until the February 2010 meeting of Council, the reason being subsequent to the preparation of the agenda item the Shire received two more proposals from the Local Government Advisory Board to amend the Shire's boundary with the Shire of East Pilbara. It was considered appropriate to consider the proposals collectively.					Ongoing Initial discussions are being held with the Shire of East Pilbara in order to establish that Shires attitude to proposals.

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#	Council Meeting	Agenda Ref.	Report Title	Council Decision	Current Status
					Documentation has been collected now being reviewed by EMCS (March 2011)

Officers Recommendation

That Council note the contents of the Corporate Services Status Report.

13.03.0 DEVELOPMENT SERVICES REPORTS

13.03.12 DEVELOPMENT APPROVALS ISSUED UNDER DELEGATION – SHIRE OF ASHBURTON TOWN PLANNING SCHEME NO. 7

FILE REFERENCE: PS.TP.7

AUTHOR’S NAME AND POSITION: Kristy Ranger
Executive Assistant to Building Services

NAME OF APPLICANT/RESPONDENT: Not applicable

DATE REPORT WRITTEN: 4 March 2011

DISCLOSURE OF FINANCIAL INTEREST: The author has no financial interest

PREVIOUS MEETING REFERENCE: Not applicable

Summary

Council has delegated to the Manager Building Services the authority to issue development approvals pursuant to the Shire’s Town Planning Scheme No.7, in certain circumstances.

Details of approvals issued by the Manager Building Services since the last Council Meeting are set out in this report.

Background

Council has delegated to the Manager Building Services the authority to issue development approvals, pursuant to the Shire’s Town Planning Scheme No.7, in certain circumstances.

Details of approvals issued by the Manager Building Services since the last Council Meeting are set out below.

Comment

Two (2) approvals have been issued under delegation up until the date of this report. These were for:

Nintirri Centre	Nintirri Centre - Stadium Road Tom Price	Planning Application – Sea Container
Kevin Sweetman	Lot 556 Beadon Creek Road Onslow	Planning Application – Temporary Storage of Transportable Dwellings / Buildings

Details of the approval may be obtained from the Manager Building Services.

Statutory Environment

Clause 9.3 of the Shire of Ashburton Town Planning Scheme No.7.
Sections 5.45, 5.46, 5.70 and 5.71 of the Local Government Act 1995.
Shire Code of Conduct.

Policy Implications

There are no policy implications relative to this matter.

Financial Implications

There are no financial implications relative to this matter.

Strategic Implications

Values:

- Professionalism
- Quality service delivery & services

Our Focus:

- Economic growth and diversity
- Quality lifestyle and social well being
- Ecological sustainability and best practice environmental management
- Improved services and infrastructure
- Best practice local government

Critical Success Factors:

- Sound management practices
- Determination and implementation of the agreed levels of services and service delivery

Action Plan, Improved Services & Infrastructure:

- Review & implement managerial policies and practices

Voting Requirement

Simple Majority Required

Recommendation

That Council note the Development Approvals issued under delegation – Shire of Ashburton Town Planning Scheme No. 7.

Author: Kristy Ranger	Signature:
Manager: Bernie Smith	Signature:

13.03.13 DRAFT LOCAL PLANNING SCHEME AMENDMENT NO. 7 AND DRAFT LOCAL PLANNING POLICY FOR ADVERTISING

FILE REFERENCE: PS.TP.7.7

AUTHOR'S NAME AND POSITION: Rob Paull
Shire's Town Planning Consultant

NAME OF APPLICANT/RESPONDENT: Shire of Ashburton

DATE REPORT WRITTEN: 5 March 2011

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

PREVIOUS MEETING REFERENCE: Agenda Item 13.11.69 Ordinary Meeting of Council 17 November 2010

Summary

Draft Amendment No. 7 to the Shire of Ashburton Local Planning Scheme ('Scheme') was initiated by Council at the 17 November 2010 meeting. The draft Amendment seeks to:

1. Rezone Lot 604 Rocklea Road Paraburdoo from 'Public Purposes – Community' reserve to 'Residential' zone with a Residential Planning Code equivalent of 'R 50'.
2. Rezone part Lot 603 and Lot 606 Rocklea Road Paraburdoo from 'Community' zone to 'Residential' zone with a Residential Planning Code equivalent of 'R 50'.
3. Modify the existing Residential zone Residential Planning Code equivalent of 'R 30 for part Lot 603 Rocklea Road Paraburdoo to R 50'.

The Amendment was referred to the EPA for environmental assessment and the EPA has advised that the Amendment would not be assessed. The Amendment was also referred to RTIO requesting that they contribute on an equal basis to the cost of initiating and pursuing Amendment No. 7. RTIO advised that it will contribute on an equal basis. In accordance with the 17 November 2010 resolution of Council, a draft Local Planning Policy has been prepared that addresses setbacks to Rocklea Road and planning guidelines for potential residential and transient workforce accommodation use and development on Lots 603 and 604, 606 and Part Lot 61 Rocklea Road, Paraburdoo.

Accordingly, it is recommended that Council adopt Amendment No. 7 with a minor modification that reflects the correct road name for Lot 606 and advertise the Amendment for 42 days in accordance with the in accordance with the *Town Planning Regulations 1967*.

It is recommended that draft 'Local Planning Policy – Development of Lots 603 and 604, 606 and Part Lot 61 Rocklea Road, Paraburdoo' be adopted for advertising in association with Amendment No. 7.

Background

Lot 604 Rocklea Road, Paraburdoo - has an area of 5327m², is owned by the Shire, occupied by a building used by a veterinary but under contract for sale. Under the Shire's Local Planning Scheme, Lot 604 is reserved for 'Public Purposes – Community'.

Lot 603 Rocklea Road, Paraburdoo - is owned by RTIO. Lot 603 has an area of 8940m² and is partially occupied by the nurse's quarters (but not used for this purpose). Lot 603 is part zoned 'Residential R 30' and 'Community'.

Lot 606 Rocklea Road, Paraburdoo - is owned by RTIO, has an area of 2958m² and has previously been used by the Company for the accommodation of transient workers in Paraburdoo. The building was recently damaged by fire and is no longer habitable. The Company has advised Council that it has not yet determined the future use of the site.

Draft Amendment No. 7 to the Shire of Ashburton Local Planning Scheme ('Scheme') was initiated by Council at its 17 November 2010 meeting.

The draft Amendment seeks to:

1. Rezone Lot 604 Rocklea Road Paraburdoo from 'Public Purposes – Community' reserve to 'Residential' zone with a Residential Planning Code equivalent of 'R 50'.
2. Rezone part Lot 603 and Lot 606 Rocklea Road Paraburdoo from 'Community' zone to 'Residential' zone with a Residential Planning Code equivalent of 'R 50'.
3. Modify the existing Residential zone Residential Planning Code equivalent of 'R 30 for part Lot 603 Rocklea Road Paraburdoo to R50'.

As part of the initial Amendment process, it was referred to the EPA for environmental assessment and to Rio Tinto for comment requesting that they contribute on an equal basis to the cost of initiating and pursuing Amendment No. 7. The EPA advised that the Amendment would not be assessed.

In accordance with the 17 November 2010 resolution of Council, a draft Local Planning Policy has been prepared that addresses setbacks to Rocklea Road and planning guidelines for potential residential and transient workforce accommodation use and development on Lots 603 and 604, 606 and Part Lot 61 Rocklea Road, Paraburdoo.

Comment

Amendment No. 7 to the Scheme will provide the opportunity to provide additional residential development for Paraburdoo in a coordinated and planned manner. Importantly, all three lots are within an established precinct of mix of housing (R30), transient workforce accommodation and community uses, including police station and associated house, church and community centre.

Rocklea Road is an important access to Paraburdoo and forms a 'boulevard' entrance to the town. Land opposite to the east (part Lot 61) is owned by RTIO and is partially developed as the Rocklea Palms transient workforce accommodation centre. Part Lot 61 fronts Rocklea Road and is zoned

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Residential R50. Within the Residential R50 zone, grouped housing and transient workforce accommodation are permitted at the discretion of the Council.

Further, when determining whether to exercise its discretion, such applications are assessed against the Residential Design Codes (R Codes). The R Codes cover a range of matters, including open space requirements, building setbacks and separations, car parking and landscaping. Under a Residential R50 zone, the setback to Rocklea Road would be 4 metres and allow up to:

- 48 residential units on Lot 603;
- 27 residential units on Lot 604; and
- 16 residential units on Lot 606.

However, under the recently revised R Codes, these sites when zoned Residential R50 may have the potential for development to reflect a plot ratio of 0.6. This may result in significantly more residential units than reflected above.

Please note that Lot 606 fronts You Yi Lane and not Rocklea Road as advertised in Amendment No. 7. In this regard, should Council adopt Amendment No. 7 for advertising, the correct road name will need to be stated.

Proposed Local Planning Policy

Draft '*Local Planning Policy – Development of Lots 603 and 604, 606 and Part Lot 61 Rocklea Road, Paraburdoo*' has been prepared to guide the development of the land so as not to impinge upon the visual entry into Paraburdoo. In this regard, the local planning policy would address setbacks, building height, open space, residential amenity, car parking and landscaping associated with the development of Lots 603 and 604 as it affects the frontage to Rocklea Road.

The design criteria of the *Policy* emphasises the need for high quality development for the land and seeks to ensure that land site is comprehensively planned. 'Donga camp' style development will not be accepted by Council under any circumstances.

Importantly however, the *Policy* establishes set back requirements for development fronting Rocklea Road. Under a Residential R50 zone, the setback to Rocklea Road could be 4 metres. Fortunately, Rocklea Road reserve is almost 50 metres wide. The Policy retains the 4 metre setback, but provides that where multi-storey development is sought, it shall be 'stepped' from single storey to multiple levels for a distance of not less than 10 metres from the 4 metre front setback.

In addition, the 4 metre setback area is to be landscaped and not used for parking unless accepted by Council. Any enclosed fencing is also to be set back to 4 metres to maintain the local amenity.

ATTACHMENT 13.03.13

Conclusions

On the basis of the above, Amendment No. 7 and draft '*Local Planning Policy – Development of Lots 603 and 604, 606 and Part Lot 61 Rocklea Road, Paraburdoo*' should adopted by Council to be advertised concurrently for 42 days and referred back to Council for consideration prior to final adoption. As noted the correct road name for Lot 606 is You Yi Lane which should be referred to in the advertised amendment.

Consultation

Chief Executive Officer
Environmental Protection Authority
RTIO

Statutory Environment

Planning and Development Act 2005

Town Planning Scheme amendments are processed in accordance with the Planning and Development Act (2005) and Town Planning Regulations. The decision on whether to adopt an amendment is solely that of Council. Upon adoption by Council the amendment is referred to the EPA after which public advertising of the proposal occurs (this is where this 'draft Amendment' currently sits in the process).

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, acting upon recommendation from the WAPC.

Shire of Ashburton Town Planning Scheme No. 7
Environmental Protection Act 1986

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.

Policy Implications

Adoption of the Policy will establish the Council direction for assessing applications lodged under the Shire of Ashburton Local Planning Scheme No. 7 for 603 and 604, 606 and Part Lot 61 Rocklea Road, Paraburdoo.

Financial Implications

There are no financial implications relative to this matter.

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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".

Voting Requirement

Simple Majority Required

Officers Recommendation

That Council:

1. In pursuance of Part V of the Planning and Development Act 2005 ("Act"), adopt for community consultation purposes draft Amendment No. 12 ("draft Amendment") to Shire of Ashburton Town Planning Scheme No. 7 ("Scheme") by:
 - "1. Rezoning Lot 604 Rocklea Road Paraburdoo from 'Public Purposes – Community' reserve to 'Residential' zone with a Residential Planning Code equivalent of 'R 50' as set out in the Amendment Map.*
 - 2. Rezoning part Lot 603 Rocklea Road Paraburdoo and Lot 606 You Yi Lane Paraburdoo from 'Community' zone to 'Residential' zone with a Residential Planning Code equivalent of 'R 50' as set out in the Amendment Map.*
 - 3. Modifying the existing Residential zone Residential Planning Code for part Lot 603 Rocklea Road Paraburdoo to R50' as set out in the Amendment Map."*
2. Adopts draft 'Local Planning Policy – Development of Lots 603 and 604, 606 and Part Lot 61 Rocklea Road, Paraburdoo' as a draft Local Planning Policy under the provisions of clause 2.3 of the Shire of Ashburton Local Planning Scheme No. 7 and it be advertised in accordance with clause 2.3.1 of the Scheme concurrently with the advertising of draft Amendment No. 7.
3. That following advertising of the draft Amendment No. 7 and draft 'Local Planning Policy – Development of Lots 603 and 604, 606 and Part Lot 61 Rocklea Road, Paraburdoo', the matters be referred back to Council for consideration.

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

**13.03.14 DRAFT LOCAL PLANNING SCHEME AMENDMENT NO. 12
(CONSIDERATION FOR ADOPTION FOR FINAL APPROVAL) AND
ADOPTION OF DRAFT LOCAL PLANNING POLICY**

FILE REFERENCE:	PS.TP.7.12
AUTHOR'S NAME AND POSITION:	Rob Paull Shire's Town Planning Consultant
NAME OF APPLICANT/RESPONDENT:	Shire of Ashburton
DATE REPORT WRITTEN:	4 March 2011
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in this matter.
PREVIOUS MEETING REFERENCE:	Agenda Item 13.11.66 Ordinary Meeting of Council 17 November 2010 Agenda Item 13.08.44 Ordinary Meeting of Council 18 August 2010

Summary

Draft Amendment No. 12 to the Shire of Ashburton Local Planning Scheme ('Scheme') was initiated by Council at the 18 August 2010 meeting. The draft Amendment seeks to establish a new clause to the Scheme that provides the opportunity to apply for planning approval for additional dwellings where reticulated sewerage and water is available to a residential lot in Tom Price and Paraburdoo as follows:

- two grouped dwellings on a lot comprising not less than 874m², with a minimum site area of 437m² per grouped dwelling, within any area coded R20 or greater subject to advertising;
- grouped dwellings at a maximum density of R30 on lots greater than 1,500m² within any area coded R12.5 to R20, subject to advertising; and
- grouped dwellings at a maximum density of R40 on lots greater than 1,500m² within any area coded R30, subject to advertising.

At the Council meeting of 17 November 2010, Council adopted Amendment No. 12 for advertising (over 42 days) which was undertaken. One submission of no objection was received. After considering the submission, it is recommended that Council adopt draft Amendment No. 12 for final approval without modification and refer it to the Western Australian Planning Commission with a request for the approval of the Hon. Minister for Planning.

Council also resolved that draft *Local Planning Policy - Assessment of Applications under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme No. 7* be adopted for advertising in association with Amendment No. 12. Advertising was undertaken and one submission of no objection was received.

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Modifications to the draft Policy are recommended by staff to address servicing and potential subdivision. It is recommended that Council adopt a modified Local Planning Policy in accordance with the provisions of the Scheme. However, advertising of the Policy should only be undertaken after Amendment No. 12 is approved by the Minister.

Background

Draft Amendment No. 12 to the Shire of Ashburton Local Planning Scheme ('Scheme') was initiated by Council at the 18 August 2010 meeting. As part of the initial Amendment process, it was referred to the EPA for environmental assessment and to the Department of State Development (DSD), Rio Tinto and the Department of Planning (DoP) for advice. The EPA advised that the Amendment would not be assessed. No objection was received from Rio Tinto and DoP, while no response was received by DSD.

At the Council meeting of 17 November 2010, Council adopted Amendment No. 12 for advertising (over 42 days). At this meeting, Council resolved to modify Amendment No. 12 by removing reference to 'vacant' lots being a criteria associated with draft Clause 6.6.2. As this was different to what Council initially resolved with draft Amendment No. 12, the revised Amendment was informally referred back to the EPA. By Email dated 22 December, 2010, the EPA officer advised:

"The proposed modifications do not raise any new environmental issues and would warrant a change in the level of assessment set by the EPA on the original amendment."

At the 17 November meeting, Council also resolved that draft *Local Planning Policy - Assessment of Applications under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme No. 7* also be adopted for advertising in association with Amendment No. 12.

The advertising was then carried out in accordance with the planning regulations. One submission of no objection has been received to both the draft Amendment and draft Policy. The submission is addressed in the attached Schedules.

ATTACHMENT 13.03.14

Comment

As with most planning Schemes in Western Australia, the Residential Planning Codes (R Codes) are incorporated in to the Scheme by reference and all residential use and development is to be accordance with the R Codes. Clause 6 of the Scheme empowers the R-Codes as the principal policy for which all residential development must be assessed against. The Scheme Map clearly identifies all residential lots with an R-Code, the number of which identifies the maximum density on a per hectare basis. For example, a lot with an R-Code of R20 has a general density of 20 dwellings per hectare. On a square metre basis this equates to an average 500m² site / lot area per dwelling. It should be noted that the R-Codes contain a provision which will still enable lots in the Shire greater than 900m² in R20 coded area to be developed for two grouped dwellings.

The R-Codes are a State Planning Policy and apply state-wide to the majority of the local government town planning schemes. In the preparation of the Scheme residential lots / areas were designated R-Codes according to the most appropriate density for the site based on existing character and values to

be retained in the future. Within the Shire, land zoned 'Residential' pursuant to the Shire of Ashburton Local Planning Scheme has either the following R Code densities:

- *Tom Price* - Residential land is predominantly zoned R20 (450m² minimum lot size) although there are larger parcels of land zoned R30 (majority of which is developed) and R50 (also developed).
- *Paraburdoo* - Residential land is predominantly zoned R 20 (450m² minimum lot size) although there are larger parcels of land zoned R30 (majority of which is developed) and R50 (also developed).

Draft Amendment No. 12

Draft Amendment No. 12 introduces a new clause to the Scheme which provides the opportunity for development approval to be granted for an additional dwelling where reticulated sewerage and water is available to a residential lot as follows:

- two grouped dwellings on a lot comprising not less than 874m², with a minimum site area of 437m² per grouped dwelling, within any area coded R20 or greater subject to advertising;
- grouped dwellings at a maximum density of R30 on lots greater than 1,500m² within any area coded R20, subject to advertising; and
- grouped dwellings at a maximum density of R40 on lots greater than 1,500m² within any area coded R30, subject to advertising.

In effect, draft Amendment No. 12 allows Council to approve a duplex on a lot with an area of 874m² where the current minimum size is either 900m² or 1000m². It also provides the opportunity to develop to an increased density where residential land is consolidated, without having to rezone the land.

The provision is designed to encourage the consolidation of residential zoned lots.

It is noted that only one submission (of no objection) was received during advertising of both the Amendment and the draft Local Planning Policy. Importantly, it was from RTIO who is the largest residential land holder in both Tom Price and Paraburdoo. No response was received in relation to the provision of services from the water, power and sewer service provider.

From discussions with officers from the Department of Planning, a 'no response' from the service provider appears to be consistent with other referrals from that agency associated with subdivision applications.

Should Amendment No. 12 be approved by the Minister for Planning, individual development applications will need to be referred to the service provider for comment in relation to the availability of services for that particular proposal.

As with all development, it will be the responsibility of the applicant to negotiate with the service provider for the provision of services.

Proposed Local Planning Policy

Local Planning Policy - Assessment of Applications under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme No. 7 has been prepared to accompany the Amendment which defines design criteria and the like associated with development of the land. The *Policy* seeks to ensure that a site is

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comprehensively planned and not simply results in siting a 'donga' in the back yard. However some modification to the *Policy* is recommended to 'tighten up' servicing, design and subdivision matters.

The Amendment makes it clear that the first step in 'qualifying' to make application for development is the provision of reticulated water, power and sewerage services to the lot. It is recommended that an additional clause be included in the adopted *Policy* that makes it clear that the Applicant is responsible to negotiate with the service provider for the provision of such services. In addition, the *Policy* should clearly state that the Shire will refer all applications to the service provider for comment prior to determining an application. No response from the service provider will be considered by the Shire to be 'no objection' to the application.

With respect to the potential subdivision of development approved under Clause 6.6.2, it is recommended that the *Policy* refer to the Council preference for 'built strata' subdivisions. Council support for 'vacant' strata subdivision is appropriate where Council is satisfied that mechanisms are in place (such as reference to an approved development plan in a strata management plan) to ensure approved development is reflected in the subdivision. In this regard, any development should be at plate height before the Council will clear the conditions of a vacant strata subdivision. This would enable security for Council to know that a lot won't simply be created and a 'donger' or similar building is placed on the land.

It is recommended that 'Green Title' lots based on Clause 6.6.2 not generally be supported by Council as they do not provide the same level of assurance that the development approved under Clause 6.6.2 will be constructed.

In any case, it will be the WAPC who will determine any such subdivision applications based on its assessments. The Council will merely offer its views to the WAPC on subdivision applications based on policy and Scheme direction.

ATTACHMENT 13.03.14

Conclusions

Tom Price is under considerable development pressure for residential accommodation. There are signs of similar development pressure in Paraburdoo. Tom Price, and Paraburdoo are relatively compact towns and residential areas have easy access to community and commercial services.

The desire of pursuing a generic Amendment of this nature is to limit the need for seeking spot rezoning but still having strong enforceable development criteria through the Scheme provision and an accompanying local planning policy.

Amendment No. 12 and a modified draft *Local Planning Policy - Assessment of Applications under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme No. 7* should therefore be adopted for final approval.

Consultation

Chief Executive Officer
Department of Planning
Department of State Development
Environmental Protection Authority
RTIO

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. Upon adoption by Council the amendment is referred to the 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 (this is where this 'draft Amendment' currently sits in the process). The final decision on whether to grant final approval to an amendment rests with the Minister for Planning, acting upon recommendation from the WAPC.

Shire of Ashburton Local Planning Scheme No. 7

Environmental Protection Act 1986

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.

Policy Implications

Adoption of the *'Local Planning Policy - Assessment of Applications under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme No. 7'* will establish the Council direction for assessing applications lodged under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme No. 7.

Financial Implications

There are no financial implications relative to this matter.

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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”.

Voting Requirement

Simple Majority Required

Officers Recommendation

That Council:

1. Pursuant to Part V of the Planning and Development Act 2005 ("Act"), and having considered the submissions lodged during the advertising period: –
 - i) Adopt for final approval, draft Amendment No. 12 ("Amendment") to the Shire of Ashburton Local Planning Scheme No. 7 ("Scheme"), which proposes to modify Clause 6.6 of the Scheme by inserting the following clauses:

“6.6.2 Notwithstanding any other provision of the Scheme, where reticulated sewerage and water is available to a lot in Tom Price and Paraburdoo:

- (a) the local government may consent to the development for the purposes of the erection of not more than two grouped dwellings on a lot comprising not less than 874m², with a minimum site area of 437m² per grouped dwelling, within any area coded R20 or greater on the Scheme Map, subject to formal advertising pursuant to Clause 5.7;*
- (b) subject to Sub-Clauses (d), the local government may for the purposes of urban consolidation, only consent to the development of a lot for the purposes of grouped dwellings at a maximum density of R30 on a lot greater than 1,500m² within any area coded R20 on the Scheme Map, subject to formal advertising pursuant to Clause 5.7;*
- (c) subject to Sub-Clause (d), the local government may for the purposes of urban consolidation, only consent to the development of a lot for the purposes of grouped dwellings at a maximum density of R40 on a lot greater than 1,500m² within any area coded R30 on the Scheme Map, subject to formal advertising pursuant to Clause 5.7; and*
- (d) in determining any application lodged pursuant to Sub-Clauses (a), (b) & (c) above, the local government shall consider in addition to those matters listed in Clause 5.9 the likely impacts of the proposed development on the identifiable area provision under Part 7, any relevant Local Planning Policy and amenity of the immediate locality in which the proposed development is to be situated.”*

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- ii) Endorse the Schedule of Submissions prepared in response to the community consultation undertaken in relation to Amendment No. 12.
 - iii) Refer Amendment No. 12 to the Shire of Ashburton Local Planning Scheme No. 7, so adopted for final approval to the Western Australian Planning Commission with a request for the approval of the Hon. Minister for Planning.
 - iv) That, where notification is received from the Western Australian Planning Commission that a modification of the Amendment is required prior to approval of the Amendment by the Minister, this modification is to be undertaken in accordance with the requirements of the Town Planning Regulations 1967, unless the modification affects the intent of the Amendment, in which case it shall be referred to the Council for consideration.
2. That with respect to draft *'Local Planning Policy - Assessment of Applications under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme No. 7'*, Council:
- i) note the submission received during advertising and adopts draft *'Local Planning Policy - Assessment of Applications under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme No. 7'*;
 - ii) modify draft *'Local Planning Policy - Assessment of Applications under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme No. 7'* as discussed in this Report and as included in Attachment 3 to the Report; and
 - ii) adopt draft *'Local Planning Policy - Assessment of Applications under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme No. 7'* as a Local Planning Policy under the provisions of clause. 2.3 of Shire of Ashburton Local Planning Scheme No. 7.
3. The Chief Executive Officer be requested to advertise draft *'Local Planning Policy - Assessment of Applications under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme No. 7'* after the Minister for Planning favourably determines draft Amendment No. 12.

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

13.03.15 IMPLEMENTATION OF DRAFT ONSLOW AERODROME MASTER PLAN AS FOLLOWS:

- **INITIATION OF DRAFT LOCAL PLANNING SCHEME AMENDMENTS NO'S. 15 AND NO. 16 - TO REZONE CERTAIN PORTIONS OF LOT 16 ON DEPOSITED PLAN 161140, ONSLOW ROAD, ONSLOW (ONSLOW AIRPORT) FROM PUBLIC PURPOSES 'AIRPORT' RESERVE TO 'MIXED BUSINESS' ZONE.**
- **PREPARATION OF A DRAFT DEVELOPMENT PLAN.**
- **PROPOSED SUBDIVISION APPLICATION TO THE WAPC.**

FILE REFERENCE: PS.TP.7.15 and PS.TP.7.16

AUTHOR'S NAME AND POSITION: Rob Paull
Shire's Town Planning Consultant

NAME OF APPLICANT/RESPONDENT: Shire of Ashburton

DATE REPORT WRITTEN: 6 March 2011

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

PREVIOUS MEETING REFERENCE: Agenda Item 16.11.13 (Confidential) - Ordinary Meeting of Council 17 November 2010
Agenda Item 15.06.12 - Ordinary Meeting of Council 16 June 2010

Summary

The Onslow airport is reserved under the Shire of Ashburton Local Planning Scheme No. 7 ('Scheme') as 'Public Purposes - 'Airport'. The land associated with the Onslow airport has an area of 530ha and Council has reviewed the operational requirements for the airport through the draft Onslow Aerodrome Master Plan.

The draft Onslow Aerodrome Master Plan was adopted by Council on 17 November 2010 and determined that the airport could be used for non-airport purposes without necessarily impacting upon the airport operations. It was also considered that for the benefit of Onslow, the development of the 'surplus' land associated with the Onslow airport will provide much need developable mixed use/industrial land for the expansion of Onslow. Importantly, the draft Onslow Townsite Strategy adopted by Council identifies land within the airport to be developed for industrial purposes.

As the concept of developing land at the airport for mixed use/industrial land has been determined by Council, it is appropriate to initiate rezoning of the identified area.

In this regard, two separate amendments are recommended as it is likely that the environmental assessments for both areas will raise different issues. The Scheme provides the opportunity for a 'development plan' to be prepared that defines the general design and development for mixed use/industrial land. A 'development plan' should be prepared in association with any Scheme amendment in order to place certain requirements on the development of land (such as building height limits, building design criteria and the like).

As the land is owned by the Shire, it is possible for Council to seek subdivision approval from the Western Australian Planning Commission (WAPC) whilst the Amendments are being pursued.

It is recommended that Amendments No. 15 and No. 16 be initiated by Council, along with a 'development plan' based on the draft Onslow Aerodrome Master Plan and attachments referred to in this Report. For reasons outlined in this Report, it is also recommended that Amendment No. 15 include a modification to the Scheme that makes Aerodrome a 'D' (discretionary) use. The Scheme Amendments and 'development plan' would be prepared by Staff and referred to the EPA for assessment. Once the EPA has responded, the matter would be referred back to Council for consideration.

In addition, it is recommended that the Chief Executive Officer be delegated authority to seek subdivision approval from the WAPC for Precinct 1 thus reducing any time lag in the development of the land.

Background

The Onslow airport site is approximately 530ha and is owned by the Shire. The Onslow airport is reserved under the Shire of Ashburton Local Planning Scheme No. 7 ('Scheme') as 'Public Purposes - Airport'. This is consistent with many airports around the State as it allows airport operations to be undertaken without requiring planning approval. However, unlike some airports which are Reserved under the Land Administration Act for the purpose of 'airport', the Onslow airport land is owned by the Shire.

As development continues in Onslow and at the North Ashburton Strategic Industrial Area (ANSIA), it is anticipated that the aerodrome will play an integral role in the development of the town and the surrounding area. It is in this context that it is noted that at the June 2010 Ordinary Meeting of Council, Council endorsed the existing aerodrome site as the preferred site for expansion and development of the aerodrome.

The operational requirements for the airport along with the current and future needs have been reviewed by Council through the draft Onslow Aerodrome Master Plan and was adopted on 17 November 2010. The aerodrome land is largely under developed and whilst planning is underway to expand the aerodrome to meet the resource sector needs, the Shire investigated the opportunity for the aerodrome land to support Onslow's industrial land shortage.

The draft Onslow Aerodrome Master Plan determined that the airport could be used for non-airport purposes without necessarily impacting upon the airport operations. It also considered that for the benefit of Onslow, the development of the 'surplus' land associated with the Onslow airport will provide much need developable mixed use/industrial land for the expansion of Onslow. Importantly, the draft

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Onslow Townsite Strategy adopted by Council identifies land within the airport to be developed for industrial purposes.

Proposal

The proposal before Council seeks to establish the statutory planning process so that the airport related industry and light industrial development identified in Council's adopted draft Onslow Aerodrome Master Plan can be undertaken. Accordingly, it is necessary to initiate rezoning of the identified areas. Two separate amendments are suggested as it is likely that the environmental assessments for both areas will raise different issues.

The Scheme provides the opportunity for a 'development plan' to be prepared that defines the general design and development for mixed use/industrial land. In this regard, a 'development plan' should be prepared in association with any Scheme amendment. As the land is owned by the Shire, it is possible for Council to seek subdivision approval from the Western Australian Planning Commission (WAPC) whilst the Amendments are being pursued.

The statutory process recommended is as follows:

Draft Amendment No. 15

Draft Amendment No. 15 seeks to rezone a portion of the airport from Public Purposes 'Airport' Reserve to 'Mixed Business' Zone.

ATTACHMENT 13.03.15a

This Amendment represents 'Precinct 1' of the adopted draft Onslow Aerodrome Master Plan. In this regard, much of the land would still be used for airport purposes but which is likely to be used by commercial operators (as distinct from being operated by the Shire). The anticipated land use arrangement is as follows:

Precinct 1 - Proposed lot categories, yields and areas:

CATEGORY	NO LOTS	LOT RANGE
Airport Operations	5	NA
Freight logistics	12	2,000 - 3,000m ²
Airport Commercial	11	2,000 – 4,000m ²
Industrial	34	2,000 – 6,000m ²

Source – Report to Council Agenda Item 16.11.13 (Confidential) - Ordinary Meeting of Council 17 November 2010

The actual number of lots will be determined through the planning and design process. It is anticipated that the environmental assessment for Amendment No. 15 would be less problematic than that for proposed Amendment No. 16 (see below). In this regard, the 'splitting' of the zone allows for the two amendments to be assessed separately, thus reducing the potential of the Precinct 1 development being held up.

Draft Amendment No. 16

Draft Amendment No. 15 also seeks to rezone a portion of the airport from Public Purposes 'Airport' Reserve to 'Mixed Business' Zone.

ATTACHMENT 13.03.15a

This Amendment represents 'Precinct 2' of the draft Onslow Aerodrome Master Plan.

The land availability within Precinct 2 is restricted by the water pipeline easement and the man made drainage basin to the southern side of the precinct. Precinct 2 has the capacity to potentially yield 52 industrial lots providing for the future land needs in this area, should market demand be generated. The anticipated land use arrangement for this area is 'freight logistics' and 'light industrial'.

However due to the proximity of draft Amendment No. 16 to the Onslow Salt area and taking into account the powers associated with the *Onslow Solar Salt State Agreement Act*, it is concluded that until a more detailed assessment is undertaken the environmental and operational issues associated with Amendment No. 16 maybe more problematic than that for proposed Amendment No. 15.

Mixed Business zone and draft Amendments No. 15 and No. 16

The 'Mixed Business' zone is sought for both Scheme Amendments, as it allows and restricts land uses that should generally not impact on the airport operations. The 'Development Plan' (see below) will also provide Council with the further opportunity to define the types of uses it seeks for the airport area and will allow restrictions on building height etc. where necessary.

The uses available under the 'Mixed use Zone are explained in **ATTACHMENT 13.03.15b**:

'Draft Development Plan'

The Scheme defines 'Development Plans' as:

"... 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."

Importantly, a 'Development Plan' for both Amendments can place certain requirements on the development of land that could include building height limits, building design criteria and the like. The basis for a draft Development Plan for Precinct 1 is included as **ATTACHMENT 13.03.15c**.

Subdivision Application

All applications for subdivisions are made to the Western Australian Planning Commission. Once this is done, the application is referred to the Shire for comment and to statutory authorities/service providers, for comment on electricity, water, telephone supplies.

It is possible that under the current Scheme reserve, Council could seek subdivision approval for Precinct 1 from the Commission whilst Amendment No. 15 and Development Plan are being processed. There is no intrinsic reason why an application should be refused once the environmental assessment associated with Amendment No. 15 is undertaken. In addition, industrial subdivision/development for the airport is recognised in the Shire's draft Onslow Townsite Strategy. Subdivision approval would enable the Shire to develop detailed engineering drawings along with addressing the servicing requirements of various agencies and service providers. It would also allow subdivision development to commence.

It is likely that the environmental assessment associated with Amendment No. 15 would need to be determined before any subdivision approval could issue. This process is also applicable to Precinct 2,

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however as noted above, it is considered that the environmental and operational issues associated with Amendment No.16 may be problematic.

Development Application

To undertake works associated with Precinct 1, it would be possible for Council to consider a Shire derived Planning Application that would reflect the design associated with the Development Plan and subdivision application. At this stage, no action is recommended in relation to a development application however after the response from the EPA in relation to Amendment No. 15 and draft Development Plan, it is likely that this process will be revisited.

'Aerodrome' Use in Mixed Business zone.

Under the Scheme, 'Aerodrome' is defined as: *"land, buildings and facilities provided for the purpose of landing, takeoff, refuelling, maintenance, loading and unloading aircraft."*

'Aerodrome' is a prohibited use in the Mixed Business zone. Council will note on the concept plan attached to this Report, buildings in proximity to the airport are referred to as 'freight logistics'. To ensure that in the future, there is no issue of land use interpretation for such uses at the Onslow Airport, it is also recommended that Amendment No. 15 include a modification to the Scheme that makes Aerodrome a 'D' (discretionary) use.

Conclusions

The draft Onslow Aerodrome Master Plan adopted by Council on 17 November 2011 has determined that the Onslow airport can be used and developed for other purposes without impacting upon the airport operations. It is also considered that for the benefit of Onslow, the development of the 'surplus' land associated with the Onslow airport will provide much needed developable mixed use/industrial land. Importantly, the draft Onslow Townsite Strategy identifies land within the airport to be developed for industrial purposes. Adoption of the draft Onslow Aerodrome Master Plan established the concept of developing land at the airport for mixed use/industrial land by Council.

On the basis of the direction of the draft Onslow Aerodrome Master Plan, it is recommended that Amendments No. 15 and No. 16 be initiated by Council, along with a 'development plan' based on the draft Onslow Aerodrome Master Plan and attachments referred to in this Report. For reasons outlined in this Report, it is also recommended that Amendment No. 15 include a modification to the Scheme that makes Aerodrome a 'D' (discretionary) use.

The Amendments and 'development plan' will be prepared by Staff and referred to the EPA for assessment. Once the EPA has responded, the matter would be referred back to Council for consideration. In addition, it is recommended that the Chief Executive Officer be delegated authority to seek subdivision approval from the WAPC for Precinct 1 thus reducing any time lag in the development of the land.

Consultation

Chief Executive Officer
Executive Manager, Western Operations

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 Western Australian Planning Commission.

Shire of Ashburton Town Planning Scheme No. 7
Environmental Protection Act 1986

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.

Policy Implications

None anticipated

Financial Implications

\$100,000.00 has been allocated from Municipal funds to allow this work to commence (Agenda Item 16.11.13 (Confidential) Ordinary Meeting of Council 17 November 2010). It is anticipated that the allocation of monies associated with the above resolution of Council will be sufficient to undertake the preparation of Amendments to the Scheme, 'development plan', subdivision and development process. However, the cost of the environmental assessment is at this stage an unknown and won't be determined until the preparation of the Amendments and subdivision process has commenced. Should the estimated cost exceed the allocation by Council, the matter will be referred back to Council for consideration.

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"*. Strategic Objective "1 – Diversify and Strengthen the economy; Strategic Objective 2 – A Connected and Accessible Region", both underpin the importance of an expanded and operational aerodrome that has the capacity to enable economic and population growth and support other economic opportunities.

Draft Onslow Townsite Strategy

Draft Onslow Townsite Strategy was adopted by Council in May 2010. With respect to the Onslow Airport, the adopted Strategy observed:

"..... the current airport site is approximately 530ha and provides the opportunity for the Shire to establish larger transport related industries without impacting on the airport. These larger lots are considered necessary for the development of Ashburton North SIA support businesses. Importantly, these lots can be established in the short and medium term to meet the anticipated demand."

The recommended Amendments to the Scheme, 'development plan', subdivision and development process will lead to achieving the direction of Council's draft Onslow Townsite Strategy.

Draft Onslow Aerodrome Master Plan

The draft Onslow Aerodrome Master Plan was adopted by Council on 17 November 2010 as follows:

"Council endorses the Draft Onslow Aerodrome Master Plan, as a planning guideline for the expansion and development of the Onslow Aerodrome land."

Accordingly, the Draft Onslow Aerodrome Master Plan provides the strategic direction for the airport whereby it can be considered for non-airport purposes without necessarily impacting upon the airport operations.

Voting Requirement

Absolute Majority Required

Officers Recommendation

Draft Amendment No. 15

1. That Council, in pursuance of Part V of the Planning and Development Act 2005 ("Act"), adopt for community consultation purposes draft Amendment No. 15 ("draft Amendment No. 15") to Shire of Ashburton Town Planning Scheme No. 7 ("Scheme") that proposes:
 1. To rezone Lot 16 on Deposited Plan 161140, Onslow Road, Onslow (portion of Onslow airport) from 'Public Purposes – Airport' reserve to 'Mixed Business' zone as set out in the Amendment Map.
 2. Modifying the zoning table as follows:

Identifying 'Aerodrome' as a 'D' use class in the 'Mixed Business' zone.

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3. That, as the draft Amendment No. 15 is in the opinion of Council consistent with Part V and Schedule 1 of the Act, regulations made pursuant to the Act and relevant state planning policy prepared under Part III of the Act, that upon preparation of the necessary documentation, the draft Amendment No. 15 be referred to the Environmental Protection Authority (EPA) as required by Part V of the Act, and on receipt of a response from the EPA indicating that the draft Amendment is not subject to formal environmental assessment, be referred back to Council to consider whether the Amendment will further pursued.
4. That following response from the EPA in accordance with part 3. above, the matter be referred back to Council for further consideration

Draft Amendment No. 16

2. That Council, in pursuance of Part V of the Planning and Development Act 2005 ("Act"), adopt for community consultation purposes draft Amendment No. 15 ("draft Amendment No. 16") to Shire of Ashburton Town Planning Scheme No. 7 ("Scheme") that proposes:
 1. To rezone Lot 16 on Deposited Plan 161140, Onslow Road, Onslow (portion of Onslow airport) from 'Public Purposes – Airport' reserve to 'Mixed Business' zone as set out in the Amendment Map.
 2. That, as the draft Amendment No. 16 is in the opinion of Council consistent with Part V and Schedule 1 of the Act, regulations made pursuant to the Act and relevant state planning policy prepared under Part III of the Act, that upon preparation of the necessary documentation, the draft Amendment No. 16 be referred to the Environmental Protection Authority (EPA) as required by Part V of the Act, and on receipt of a response from the EPA indicating that the draft Amendment is not subject to formal environmental assessment, be referred back to Council to consider whether the Amendment will further pursued.
 3. That following response from the EPA in accordance with part 2. above, the matter be referred back to Council for further consideration

Draft Development Plan

3. That Council request the Chief Executive Officer to make appropriate arrangements to prepare a draft 'development plan' based on draft Onslow Aerodrome Master Plan and the attachments referred to in this Report and for the draft 'development plan' to be referred to the EPA for environmental assessment in association with draft Scheme Amendment No. 15 and draft Scheme Amendment No. 16.

Subdivision Application

4. That Council delegate Chief Executive Officer authority to prepare and lodge an application for subdivision approval from the WAPC based on the concept of Precinct 1 as defined draft Onslow Aerodrome Master Plan at a time of his choosing.

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

13.03.16 PLANNING APPLICATION FOR THREE (3) TRANSPORTABLE BUILDINGS COMPRISING SIX (6) STAFF ACCOMMODATION UNITS, THREE (3) MOTEL UNITS, ONE (1) STAFF LOUNGE AND ONE (1) LAUNDRY, AT LOT 851 CENTRAL ROAD, TOM PRICE

FILE REFERENCE: TP.CX. 851

AUTHOR'S NAME AND POSITION: Rob Paull
Town Planning Consultant

NAME OF APPLICANT/RESPONDENT: Owner/ Applicant: Raminea Pty Ltd

DATE REPORT WRITTEN: 2 March 2011

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

PREVIOUS MEETING REFERENCE: Agenda Item 13.12.87 – Council meeting of 15 December, 2009
Agenda Item 15.07.107 – Council meeting of 20 July, 2004

Summary

The Shire is in receipt of an application for Planning Approval for four (4) transportable buildings comprising six (6) staff accommodation units (for staff associated with the hotel/motel), three (3) motel units, one (1) staff lounge, and one (1) laundry at Lot 851 Central Road, Tom Price (Tom Price Hotel).

The proposed staff quarters, staff room and laundry can reasonably be considered as a partial 'replacement' of existing facilities. Under the Scheme, car parking for hotel/motel purposes generates a parking provision of "... *one space per accommodation unit, plus one per every five units for visitors and staff.*" In this regard, the three additional motel units will generate three (3) car parking spaces (rounded off). It would seem likely that the site has limited further potential for additional parking as it would appear to have been developed to its full extent. Should this be the case, an option for parking (should Council wish to maintain the parking ratios as per the Scheme) would be cash-in- lieu of parking.

It is recommended that the application be approved subject to conditions requiring car parking for three (3) vehicles with the option that it be provided on site (if land is available) or as cash-in-lieu, along with a condition that the 'staff' accommodation units are only to be occupied by staff in the direct control and employ of Owner of the land.

Background

The establishment of the hotel and motel units has been a matter considered by Council over many years. Of significance is the decision of Council in April 2004 to approve an application for 18 motel units with a condition prohibiting transportable units. This was appealed by the Applicant and in July

2004, Council resolved to mediate an outcome where the condition was deleted but further detailed design was provided that was acceptable to Council.

A zoning/location plan is attached an aerial photograph and photograph.

ATTACHMENT 13.03.16a

The most recent application before Council was in December 2009 for six (6) transportable accommodation units for staff accommodation purposes. A copy of the approved plan from this 2009 Application is attached.

ATTACHMENT 13.03.16b

Council will note that the area of the site where the current application is focused and shown on the December 2009 plan is referred to as being both vacant and provided for staff accommodation. In this regard the proposal before Council can reasonably be considered as a partial replacement of existing staff quarters.

Proposal

The Shire is in receipt of an application for Planning Approval for four (4) transportable buildings comprising six (6) staff accommodation units (for staff associated with the hotel/motel), three (3) motel units, one (1) staff lounge and one (1) laundry at Lot 851 Central Road, Tom Price (Tom Price Hotel).

ATTACHMENT 13.03.16c

Comment

The land subject of this application is zoned 'Commercial and Civic' under the Shire of Ashburton Town Planning Scheme No. 7 ('Scheme'). Shire Policy 'LPP No.7 - Design Guidelines for the Tom Price Town Centre' includes this land within the 'Town Centre'. The buildings will essentially be 'inevident' from any street and therefore, complies with the current and revised 'LPP No.7 - Design Guidelines for the Tom Price Town Centre'.

The proposed staff quarters, staff room and laundry can reasonably be considered as a partial 'replacement' of existing facilities. Under the Scheme, car parking for hotel/motel purposes generates a parking provision of "... one space per accommodation unit, plus one per every five units for visitors and staff." In this regard, the three (3) additional motel units will generate three (3) car parking spaces (rounded off). From an inspection of the site and comparing it with currently approve plans, it would seem unlikely that the site has further potential for additional parking as it would appear to have been developed to its full extent.

Should Council seek to maintain the parking ratios as per the Scheme, cash-in- lieu of parking could be considered. Under the Scheme, cash-in- lieu of parking is noted as follows:

"6.17.3 As an alternative to subclause 6.17.1, and subject to Local Government approval, a cash-in-lieu payment, to the equivalent cost of providing the required car parking plus the value of the area of land which would have been occupied by the spaces, shall be paid to the Local Government. This payment is to contribute to a fund set aside by Local Government for the purposes of providing public car parking areas"

6.17.4 Where the amount of cash-in-lieu payable under clause 6.17.3 cannot be agreed it shall be determined by arbitration in accordance with the Commercial Arbitration Act 1985 or some other method agreed upon by Local Government and the developer."

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At this stage, it is difficult to provide an estimate of the actual cost of parking as this would be subject to a valuation undertaken by Landgate and based on the per square metre value of the land. The assessment of the 'land value' and 'construction' component under the Shire's Local Planning Policy is determined as the area of one typical car bay and access thereto (this is usually 21.25 m² minimum). A copy of the Shire's Local Planning Policy relevant to cash-in- lieu of parking' is attached.

ATTACHMENT 13.03.16d

It should be noted that another option for Council could be to determine that for reasons reflected in Clause 6.17.5 of the Scheme that the no additional parking is required:

“Where the Local Government is satisfied that the circumstances of a development justify such action and there will not be any resultant lowering of safety standards, it may permit a reduction in the number of carparking spaces required by subclause 6.17.1.”

Any approval should be limited to use by the owner/operator of the Hotel (Raminea Pty Ltd) and only for workers associated with Raminea Pty Ltd.

Consultation

Chief Executive Officer

Statutory Environment

Planning and Development Act; and
Shire of Ashburton Local Planning Scheme No.7

Policy Implications

Shire Policy 'LPP No.7 - Design Guidelines for the Tom Price Town Centre' – requires design matters to be considered. The 'inevident' nature of the development reflects the direction of LPP No. 7.

Shire Policy 'LPP No.7 - Cash-in Lieu Car Parking Requirements' defines the process by which cash-in-lieu will be sought by Council.

Financial Implications

Should Council 'cash-in-lieu' of parking be sought, the monies sourced will need to be placed in a reserve fund and only spent on additional parking in the vicinity of the site.

Strategic Implications

There are no strategic implications relative to this issue.

Voting Requirement

Simple majority required.

Officers Recommendation

That Council:

1. Approve the application for Planning Approval made by Raminea Pty Ltd for four (4) transportable buildings comprising six (6) staff accommodation units (for staff associated with the hotel/motel), three (3) motel units, one (1) staff lounge, and one (1) laundry at Lot 851 Central Road, Tom Price (Tom Price Hotel) in accordance with the endorsed plans and subject to the following conditions:

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1. The accommodation units hereby approved and shown on the endorsed plan as 'staff room' shall only be occupied by staff/workers in the direct control and employ of Raminea Pty Ltd having the care, control, or supervision of the business premises.
2. A minimum number of three (3) carparking bays shall be provided to the satisfaction of the Shire of Ashburton. The parking area(s) shall be designed, constructed, sealed, drained, marked and thereafter maintained to the specifications and satisfaction of the Shire of Ashburton. Details to be submitted with the building licence application.
3. Should the site be incapable to provide the three (3) additional car spaces as required in 2 above, the Applicant shall provide to the Shire, payment of cash-in-lieu and associated costs of construction and the valuation fees for three (3) parking bays not provided on-site in accordance with the provisions of Shire of Ashburton Local Planning Scheme No. 7.
4. All storm water produced on the site shall be disposed of either in the Council's drainage system or disposed of on the site, but in either case the means of disposal must be to the satisfaction as directed by the Shire. Plans must be submitted prior to issue of a building licence showing details of the drainage layout, showing the pipes direction, invert levels, grade size and the locations of any pits.

Advice:

- i. Further to this approval, the Applicant is required to submit working drawings and specifications to comply with the requirements of Part 4 of the Building Regulations, 1989 (as amended) and the Health Act, 1911 (as amended) which are to be approved by the Shire's Principal Building Surveyor and Principal Environmental Health Officer prior to the issue of the Building licence.
- ii. In respect to Condition 2, you should first submit a letter of undertaking to meet the valuation costs, on receipt of which the Shire of Ashburton will obtain the necessary valuations and advise you of the required cash-in-lieu contribution. Once the letter of undertaking is received, the Council will be willing to allow the building licence to issue.
- iii. The drawings submitted for a building licence are to be properly drawn and certified by a practising structural engineer to confirm that they comply with the requirements of the Building Code of Australia.
- iv. Approval to be obtained from the Fire and Rescue Services of WA.
- v. Council has determined this application. Rights of appeal are also available to you under the Planning and Development Act 1928 (as amended) against the decision of Council, including any conditions associated with this decision. Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).

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

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13.03.17 DEVELOPMENT SERVICES DECISION STATUS REPORT

#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
1	02/11	13.02.02	Draft Amendment No. 10 to Planning Scheme No. 7 and Draft Ashburton North Strategic Industrial Area Structure Plan	That Council note the contents of this <i>'Draft Amendment No. 10 to Planning Scheme No. 7 and Draft Ashburton North Strategic Industrial Area Structure'</i> report.	For Noting – no further action required. (Feb 2011)
2	02/11	13.02.03	Draft Local Planning Policy – Interim Car Parking Provisions (Onslow)	That Council: <ol style="list-style-type: none"> 1. Adopt draft <i>'Local Planning Policy - Interim Car Parking Provisions (Onslow)'</i> as a Local Planning Policy under the provisions of Cl. 2.3 of Shire of Ashburton Local Planning Scheme No.7 (the scheme) and be advertised in accordance with clause 2.31 of the scheme. 2. Adopt modifications to <i>'Local Planning Policy Cash-in-Lieu Car Parking Arrangements (LPP11)'</i> to recognise draft <i>'Local Planning Policy - Interim Car Parking Provisions (Onslow)'</i> and advertised in accordance with clause 2.31 of the scheme. 3. Subject to no adverse comments being received during the advertising period during 1 and 2 above, Council adopt <i>'Local Planning Policy - Interim Car Parking Provisions (Onslow)'</i> and <i>'Local Planning Policy Cash-in-Lieu Car Parking Arrangements (LPP11)'</i> in accordance with provisions of the scheme. 4. Request the Chief Executive Officer to prepare a further report on the matter if any adverse comments are received. 	Advertising is being undertaken as resolved by Council. A further report to Council is anticipated for the April meeting. (Feb 2011)
3	02/11	13.02.04	Revised Local Planning Policy – Transient Workforce Accommodation	That Council: <ol style="list-style-type: none"> 1. Adopt modifications to <i>"Local Planning Policy - Transient Workforce Accommodation"</i> (LPP13) 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. 	Advertising undertaken as resolved by Council. A further report to Council is anticipated for the April meeting. (Feb 2011)

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4	02/11	13.02.05	Revised Local Planning Policy – Design Guidelines for the Tom Price Town Centre	<p>That Council:</p> <ol style="list-style-type: none"> 1. Adopt modifications to “<i>Local Planning Policy - Design Guidelines for the Tom Price Town Centre</i>” (LPP10) and advertise in accordance with clause 2.31 of the scheme. 2. Subject to no adverse comments being received during the advertising period during 1 above, Council adopt “<i>Local Planning Policy - Design Guidelines for the Tom Price Town Centre</i>” (LPP10) in accordance with provisions of the scheme. 3. Request the Chief Executive Officer to prepare a further report on the matter if any adverse comments are received. 	Advertising is being undertaken as resolved by Council. Should objections be received, a further report is anticipated to April meeting of Council. (Feb 2011)
5	02/11	13.02.06	Application for Planning Approval – Permanent Operations Centre associated with gas processing facility and support infrastructure, Barrow Island	<ol style="list-style-type: none"> 1. That Council issue Planning Approval for a permanent operations centre associated with a gas processing facility generally at Location 22° 48’ 14.99” South and 115° 26’59.17” East, Barrow Island, Shire of Ashburton generally in accordance with the submitted plans and subject, but not necessarily limited to, the following conditions: <ol style="list-style-type: none"> a) Pursuant to the Building Licence for the development should be obtained prior to 15 February 2013. This Planning Consent lapses if a building licence for the development has not been obtained by 15 February 2013. Further to this, if the development is not substantially commenced in accordance with the Building Licence by 15 February 2013, then this Planning Consent lapses at that date. b) The land use and development shall be undertaken generally in accordance with the approved plans, in a manner that is deemed to comply with the satisfaction of the Chief Executive Officer. c) All storm water produced on the site shall be disposed of either to an underground drainage system or disposed of on the site, but in either case the means of disposal must be to the satisfaction as directed by the Shire. Plans must be submitted prior to issue of a building licence showing details of the drainage layout, showing the pipes direction, invert levels, grade size and the locations of any pits. d) A geotechnical report covering the development area being prepared by the applicant at the applicant's cost and to the satisfaction of the Chief 	Applicant advised of Council decision. No further action required. (Feb 2011)

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				<p>Executive Officer. The report to be lodged with the building licence application, together with certification from a structural engineer that the design is suitable for the site conditions as outlined in the geotechnical report.</p> <p>e) A comprehensive effluent plan and drainage plan shall be submitted to Council and such plan(s) approved prior to the issue of a Building Licence. All works to be constructed as per the approved plan.</p> <p>f) The operator is solely responsible for the removal of all litter and rubbish and shall ensure that the Island is retained in pristine condition at all times.</p> <p>Advise the applicant as follows:</p> <p>i. Further to this approval, the Applicant is required to submit working drawings and specifications to comply with the requirements of Part 4 of the Building Regulations, 1989 (as amended) and the Health Act, 1911 (as amended) which are to be approved by the Shire’s Principal Building Surveyor and Principal Environmental Health Officer prior to the issue of the Building licence.</p> <p>ii. The drawings submitted for a building licence are to be properly drawn and certified by a practising structural engineer to confirm that they comply with the requirements of the Building Code of Australia.</p> <p>iii. In the “Conservation, Recreation and Natural Landscapes” Reserve, approval is required for most land uses and building construction. Council’s Planning Department should be contacted for further information.</p> <p>iv. Council has determined this application. Rights of appeal are also available to you under the Planning and Development Act 1928 (as amended) against the decision of Council, including any conditions associated with this decision. Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).</p> <p>v. The issuing of development approval for the development pursuant to Shire’s Planning Scheme does not constitute approval to use the Operation/Construction Facility unless all matters relating to Local Government (Miscellaneous Provisions) Act have been addressed.</p> <p>vi. The Shire of Ashburton contains many places of Aboriginal Heritage significance. Proponents are advised to consider Aboriginal heritage issues</p>	

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				<p>and their obligations under the Aboriginal Heritage Act 1972 at an early stage of planning. Further information can be obtained from the Department of Indigenous Affairs on 9235 8000 or at the following web site ://www.dia.wa.gov.au/Heritage/default.aspx.</p> <p>vii. This Planning Approval issued by the Shire of Ashburton does not remove any responsibility the Applicant may have in obtaining a vegetation clearing permit from the Department of Environment in accordance with the Environment Protection Act 1986. Further information can be obtained from the Department of Environment or at the following website .environment.wa.gov.au.</p> <p>viii. This Planning Approval issued by the Shire of Ashburton does not remove any responsibility the Applicant may have in notifying Environment Australia of the proposal for consideration of impacts in accordance with the Environmental Protection and Biodiversity Conservation Act 1999. Further information can be obtained from Environment Australia on (02) 6274 1111 or by visiting ://www.deh.gov.au/epbc/assessmentsapprovals/index.html.</p>	
6	02/11	13.02.07	Modification to Fees and Charges Schedule – Health, Town Planning and Building Control	<p>That Council:</p> <ol style="list-style-type: none"> In accordance with Section 6.16(3) of the Local Government Act 1995, adopt the modifications to the Schedule of Fees and Charges of the 2010/11 Budget as outlined and attached to this Report. 	<p>Public notification of Council decision currently being undertaken.</p> <p>No further action required. (Feb 2011)</p>
7	02/11	13.02.08	Request by Compasswest to use Shire land for helicopter site/s – Tom Price	<p>That Council:</p> <ol style="list-style-type: none"> Advise Compasswest Helicopters that it would be prepared to consider helicopter services and the erection of a shed to house the helicopter on the following sites and subject to the acceptance of any existing lessee: <ul style="list-style-type: none"> within the speedway (concrete pad). disused archery site. golf course (abutting the Telstra site). <p>All costs associated pursuing the investigations including planning approval, Shire Business Plan/advertising and contractual arrangements along with establishment costs will the responsibility of Compasswest.</p>	<p>Compasswest Helicopters advised of Council decision. No further action required. (Feb 2011)</p>

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				<p>Once the site is ascertained, the Shire would then determine the rental fee.</p> <p>2. Advise Compasswest Helicopters that Council's advice at this stage is in-principle support only and it should not be construed that once a detailed plan has been provided and proposal subjected to the planning /advertising process, approval will be given. In addition, depending upon the value of project, Council may be required under the Local Government Act to open the lease of land to open tender.</p>	
8	02/11	13.02.09	Draft Local Planning Scheme Amendment No. 14 – new scheme provision for transient workforce accommodation as an 'A'(discretionary use) in the commercial and civic zone	<p>That Council, in pursuance of Part V of the Planning and Development Act 2005 ("Act"), initiate draft Amendment No. 14 ("draft Amendment") to Shire of Ashburton Town Planning Scheme No. 7 ("Scheme") that proposes:</p> <p>1. Modifying Clause 6.10 of the Scheme by inserting the following clause: <i>"6.10.4 Transient workforce accommodation may be considered by the Local Government only where the following requirements are met and where the Applicant can demonstrate all of the following:</i></p> <ul style="list-style-type: none"> <i>a) the proposed transient workforce accommodation development is of a very high quality for the benefit of occupiers, as well as the community;</i> <i>b) the proposed development represents a motel or resort style development, with significant landscaping, recreation areas/facilities, quality design, quality infrastructure and materials;</i> <i>c) a limitation on the overall proportion (%) of transient workforce accommodation within a development and where accommodation for tourists and the like is made available;</i> <i>d) connection to reticulated sewer, water, and power is available; and</i> <i>e) where the development is of a permanent nature and where dongers and transportable buildings or structures of any description are not proposed.</i> <p><i>6.10.5 Where in the opinion of the Local Government any of the provisions of Clause 6.10.4 are not met, transient workforce accommodation is prohibited."</i></p> <p>2. That, as the draft Amendment is in the opinion of Council consistent with Part V and Schedule 1 of the Act, regulations made pursuant to the Act and relevant state planning policy prepared under Part III of the Act, that upon preparation of the necessary documentation, the draft Amendment be</p>	<p>Scheme Amendment documents prepared and forwarded to the EPA for assessment.</p> <p>Await EPA response before referring back to Council for consideration (probably . (Feb 2011)</p>

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				<p>referred to the Environmental Protection Authority (EPA) as required by Part V of the Act, and on receipt of a response from the EPA be referred back to Council to consider whether the Amendment will further pursued.</p> <p>3. That the views of Department of Planning and Department of State Development sought concerning the draft Amendment.</p> <p>4. That following response from the EPA in accordance with Part 2 above and the Department of Planning, Department of State Development and Land Corp in accordance with Part 3, the matter be referred back to Council for further consideration. In preparing a further Report on the matter, the Chief Executive Officer be requested to address the responses from the EPA and agencies.</p>	
9	11/02	13.02.10	Lot 381 Third Avenue, Onslow – Request for in-principle support to initiate scheme amendment	<p>That Council:</p> <p>1. Advise Onslow Developments that in principle, it supports a Scheme Amendment for Lot 381 Third Avenue, Onslow that achieves the objective of the Onslow Townsite Strategy of “...a mixed zoning that provided for residential use in the context of an overall tourist/residential development”, subject to the land owner addressing/providing in detail the following:</p> <ul style="list-style-type: none"> • a Structure Plan that adequately guides future subdivision and development of the land; • access to the land; • WAPC Tourism Planning Taskforce Report 2006; • WAPC Planning Bulletin 83/2009 Planning for Tourism • formal Scheme Amendment documentation consistent with the requirements of the <i>Town Planning Regulations (1975)</i>; and • payment of amendment fee to the Shire. <p>2. Advise Onslow Developments that that in-principle support is informal/conceptual in order to gain some indication as to whether or not a Scheme Amendment is likely to be viewed favourably. It should not be construed that the amendment will be initiated or will be finally adopted.</p>	Proponent advised of Council's decision. No further action required (probably April meeting of Council). (Feb 2011)
10	02/11	16.02.02	Confidential Item – Enforcement Action – Minderoo Station against the Forrest Group Pty Ltd (as Trustee for Minderoo Pastoral Station Company)	<p>That Council:</p> <p>1. That Council note the contents of this ‘Confidential Item – Enforcement Action – Minderoo Station Against the Forrest Group Pty Ltd (as Trustee for the Minderoo Pastoral Station Company)’ report.</p> <p>2. Delegate to the Chief Executive Officer, authority to initiate legal proceedings in any relevant jurisdiction against the Forrest Group Pty Ltd (as Trustee for the Minderoo Pastoral Station Company) or other company relevant to the Minderoo Homestead in order to seek compliance with the Shire of</p>	Delegation provided to CEO. Enforcement action is at the discretion of the CEO.

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				Ashburton Local Planning Scheme No. 7, the Planning and Development Act (2005), the Food Act (2008), the Health Act (1911), Local Government (Miscellaneous Provisions) Act (1960) and all relevant regulations.	Should such action be undertaken, the CEO will advise Council.
11	12/10	13.12.74	Draft Amendment No. 10 to Planning Scheme No. 7 and Draft Ashburton North Strategic Industrial Area Structure Plan	<p>That Council:</p> <p>a) Advise Chevron Australia Pty Ltd that:</p> <p>i) subject to modifications generally in accordance with Schedule 1 attached to this Report (Attachment 13.12.74f) along with an assessment of the impact of lighting and noise at the Ashburton River within the buffer zone from the proposed port and Wheatstone development; and</p> <p>ii) receipt of a revised hydrology assessment prepared to the satisfaction of the Chief Executive Officer;</p> <p>Council is willing to accept the draft <i>Ashburton North Strategic Industrial Area Structure Plan</i> as a draft structure plan pursuant to the provisions of the the Shire of Ashburton Local Planning Scheme No. 7 and more specifically, (draft) Local Planning Scheme Amendment No. 9.</p> <p>b) Request Chevron Australia Pty Ltd to undertake the modifications as included in Schedule 1 and any modifications an outcome of the revised hydrology assessment along with any other modifications identified by the Chief Executive Officer as being appropriate and then refer the document back to the Shire.</p> <p>c) Advise Chevron that in relation to the modifications sought in 1 above, it should not be construed that further changes to the draft <i>Ashburton North Strategic Industrial Area Structure Plan</i> will not be required as an outcome of the referral of draft Scheme Amendment No. 10 and further assessment of information received.</p> <p>DRAFT LOCAL PLANNING SCHEME AMENDMENT NO. 10</p> <p>1. That the Council in pursuance of Section 75 of the <i>Planning and Development Act 2005</i> ("Act"), initiate Scheme Amendment No. 10 to the Shire of Ashburton Local Planning Scheme No. 7 by:</p>	<p>Chevron advised of Council's decision. The Scheme Amendment documents were prepared and forwarded to the EPA for assessment on 23 December, 2010. The respective agencies were provide with a copy of the Amendment and appendices and asked for comment.</p> <p>EPA advise that formal environmental assessment is not required.</p>

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#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status								
				<p>a. Rezoning portion of Part Lot 152 and Part Lot 153 Onslow Road, Unallocated Crown Land Lot 238 and portion of Part Unallocated Crown Land Lots 301 and 302 from 'Rural' zone and 'Conservation, Recreation and Natural Landscapes' reserve to 'Strategic Industry' zone and 'Other Purposes – Infrastructure' reserve.</p> <p>b. Rezoning Part Lot 152 Onslow Road from 'Rural' zone to 'Special Use – Transient Workforce Accommodation' zone.</p> <p>c. Inserting into Schedule 2 the following:</p> <table border="1"> <thead> <tr> <th>No.</th> <th>Description of Land</th> <th>Special Use</th> <th>Conditions</th> </tr> </thead> <tbody> <tr> <td>2.</td> <td>Portion of Ashburton Location 153, Onslow Road</td> <td>Transient Workforce Accommodation</td> <td> <p>1. Land use and development shall generally be in accordance with a Structure Plan and Development Plan approved by the local government and the Western Australian Planning Commission which addresses those matters defined in Clause 7.9 and Appendix 11 as it relates to the Ashburton North Strategic Industrial Area and specifically, provides details on the layout, staging, operational period of the use, accommodation of operational workforce, transport, access, landscaping, management and environmental issues associated with the development and the use of the land.</p> <p>2. All transient workforce accommodation shall be considered a 'D' use under the Scheme.</p> <p>3. Transient workforce accommodation shall only</p> </td> </tr> </tbody> </table>	No.	Description of Land	Special Use	Conditions	2.	Portion of Ashburton Location 153, Onslow Road	Transient Workforce Accommodation	<p>1. Land use and development shall generally be in accordance with a Structure Plan and Development Plan approved by the local government and the Western Australian Planning Commission which addresses those matters defined in Clause 7.9 and Appendix 11 as it relates to the Ashburton North Strategic Industrial Area and specifically, provides details on the layout, staging, operational period of the use, accommodation of operational workforce, transport, access, landscaping, management and environmental issues associated with the development and the use of the land.</p> <p>2. All transient workforce accommodation shall be considered a 'D' use under the Scheme.</p> <p>3. Transient workforce accommodation shall only</p>	<p>Matters associated with corridor access, infrastructure contributions and Hooleys Creek are still outstanding.</p> <p>A further brief status report is included in the March 2011 agenda. Chevron and DSD representative s invited to address March 2011 Council meeting. (Dec 2010).</p>
No.	Description of Land	Special Use	Conditions										
2.	Portion of Ashburton Location 153, Onslow Road	Transient Workforce Accommodation	<p>1. Land use and development shall generally be in accordance with a Structure Plan and Development Plan approved by the local government and the Western Australian Planning Commission which addresses those matters defined in Clause 7.9 and Appendix 11 as it relates to the Ashburton North Strategic Industrial Area and specifically, provides details on the layout, staging, operational period of the use, accommodation of operational workforce, transport, access, landscaping, management and environmental issues associated with the development and the use of the land.</p> <p>2. All transient workforce accommodation shall be considered a 'D' use under the Scheme.</p> <p>3. Transient workforce accommodation shall only</p>										

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#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision			Current Status
						<p>be used for accommodation of a workforce directly involved in the construction or maintenance of those uses and developments approved in writing by the local government.</p> <p>4. Transient workforce accommodation for operational purposes of any use or development is prohibited.</p> <p>5. The local government may require the preparation of a legal agreement in relation to the use and operation of the transient workforce accommodation and to ensure that only those persons involved in the construction or maintenance of those uses and developments approved in writing by the local government.</p>	
				<p>2. That, as the draft Amendment is in the opinion of the Council consistent with Part V of the Act and regulations made pursuant to the Act, that upon preparation of the necessary documentation, the draft Amendment be referred to the Environmental Protection Authority (EPA) as required by Part V of the Act, and on receipt of a response from the EPA indicating that the draft Amendment is not subject to formal environmental assessment, be referred back to Council for further consideration.</p> <p>3. The initiation of draft Amendment No. 10 as referred to in 1. above is subject to the following being undertaken prior to the referral of draft Amendment No. 10 to the EPA (as referred in 2. above):</p> <p style="padding-left: 40px;">a. Gazettal of Amendment No. 9 to the Shire of Ashburton Local Planning Scheme No.7; and</p> <p style="padding-left: 40px;">b. the proponent undertaking the modifications to draft Local Planning</p>			

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				<p>Scheme Amendment No. 10 generally in accordance with those included as Schedule 2 (Attachment 13.12.74g), the modifications the draft <i>Ashburton North Strategic Industrial Area Structure Plan</i> (Attachment 13.12.74f) and any other modifications identified by the Chief Executive Officer as being appropriate.</p> <p>4. In the event that the EPA determines that the draft Amendment is to be subject to formal environmental assessment, this assessment is to be prepared by the proponent prior to advertising of the draft Amendment.</p> <p>5. That prior to referring back the Amendment to Council for consideration, the views of the following agencies be sought concerning the draft Amendment:</p> <ul style="list-style-type: none"> • Dampier Port Authority • Department of Environment and Conservation • Department of Main Roads WA • Department of Planning • Department of Regional Development and Lands • Department of State Development • Department of Water • Landcorp. <p>6. That following response from the EPA in accordance with Part 2 above and response from agencies in accordance with Part 5, the Chief Executive Officer in preparing a further Report to Council on the matter be requested to address (but not be limited to) the following:</p> <ol style="list-style-type: none"> a) responses from the EPA and agencies; b) the issue of unencumbered access to the Multi-User Access and Infrastructure Corridor; c) clarification on the impacts of the proposed port and Wheatstone proposal on unrestricted access to Hooleys Creek; and d) progress on the separate agreement for infrastructure in Onslow with the Shire and Chevron Australia Pty Ltd (as referred to in Chevron's correspondence of 7 December). e) assess the impact of lighting and noise at the Ashburton River within the buffer zone from the proposed port and Wheatstone development. 	

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				7. Advise Chevron Pty Ltd that in relation to Council initiating draft Scheme Amendment No. 10 and the modifications sought in Schedule 2 (Attachment 13.12.74f and Attachment 13.12.74g), it should not be construed that further changes will not be required as an outcome of referral and further assessment of information received.	
12	12/10	13.12.75	Draft Planning Scheme Amendment No. 11 to Rezone Onslow Strategic Industrial Zone to Rural, Delete Onslow Strategic Industrial Buffer Area and Draft Local Planning Policy for the Development of the Land	<p>That Council, the Council in pursuance of Section 75 of the <i>Planning and Development Act 2005</i> ("Act"), initiate draft Amendment No. 11 ("draft Amendment") to Shire of Ashburton Local Planning Scheme No. 7 ("Scheme") that proposes to:</p> <ol style="list-style-type: none"> 1. Rezone Part Location 303, Onslow Road, Onslow from 'Strategic Industrial zone to 'Rural' zone. 2. Modify the Scheme Maps accordingly. 3. Modify Clause 7.1 of the Scheme to delete reference to 'Onslow Strategic Industrial Buffer' and for Clause 7.1 to read as follows: <ul style="list-style-type: none"> "7.1 <i>Operation of Special Control Areas</i> 7.1.1 <i>The following special control areas are shown on the Scheme map:</i> (a) <i>Tidal Inundation Areas</i> (b) <i>Onslow Coastal Hazard Area</i> (c) <i>Onslow Airport Height Restrictions Area</i> (d) <i>Cane River Water Reserve Area</i> (e) <i>Turee Creek, Mt Lionel and Mt Stevenson Borefields</i> (f) <i>Wittenoom</i> (g) <i>Ashburton North Strategic Industrial Area</i>" 4. Modify the Scheme Legend to delete "Onslow Strategic Industrial Buffer – Special Control Area" as set out in the Amendment Legend. 5. Modify the Scheme Maps to delete "Onslow Strategic Industrial Buffer – Special Control Area". 6. That, as the draft Amendment is in the opinion of Council consistent with Part V and Schedule 1 of the Act, regulations made pursuant to the Act and relevant state planning policy prepared under Part III of the Act, that upon preparation of the necessary documentation, the draft Amendment be referred to the Environmental Protection Authority (EPA) as required by Part V of the Act and on receipt of a response from the EPA, be referred back to Council for further consideration. 7. That following response from the EPA in accordance with part 4 above, the 	<p>Scheme Amendment documents prepared and forwarded to the EPA for assessment.</p> <p>Await EPA response before referring back to Council for consideration.</p> <p>Advertising is anticipated to be in association with Amendment 10.</p> <p>(Dec 2010)</p>

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				<p>matter be referred back to Council for further consideration. In preparing a further Report on the matter, the A/Chief Executive Officer be requested to:</p> <ul style="list-style-type: none"> i) address the response from the EPA; and ii) provide a draft Local Planning Policy that addresses the need for an overall structure plan for the site along with the preferred uses and request input from the Onslow Recreational Clubs Association in its preparation. 	
13	12/10	13.12.76	Draft Local Planning Scheme Amendment No. 13 – New Scheme Provision Providing for Further Development Potential of Land in Onslow Zoned Residential R12.5	<p>That Council, in pursuance of Part V of the Planning and Development Act 2005 ("Act"), initiate draft Amendment No. 13 ("draft Amendment") to Shire of Ashburton Town Planning Scheme No. 7 ("Scheme") that proposes:</p> <p>4. Modifying Clause 6.6 of the Scheme by inserting the following clause:</p> <p style="padding-left: 20px;"><i>“6.6.3 Notwithstanding any other provision of the Scheme, on land in Onslow zoned Residential R 12.5 and where reticulated sewerage and reticulated water is available to a lot and where the Applicant has addressed to the requirements of the local government, matters associated with the floodway and development within it:</i></p> <ul style="list-style-type: none"> <i>(a) the local government may consent to the development for the purposes of the erection of not more than two grouped dwellings on a vacant lot comprising not less than 875m², with a minimum site area of 435m² per grouped dwelling subject to formal advertising pursuant to Clause 5.7;</i> <i>(b) the local government may for the purposes of urban consolidation, only consent to the development of a vacant lot for the purposes of grouped dwellings at a maximum density of R30 on a lot greater than 1,500m² subject to formal advertising pursuant to Clause 5.7; and</i> <i>(c) in determining any application lodged pursuant to Sub-Clauses (a) & (b) above the local government shall consider, in addition to those matters listed in Clause 5.9 the likely impacts of the proposed development on the identifiable area provision under Part 7, any relevant Local Planning Policy and amenity of the immediate locality in which the proposed development is to be situated.”</i> <p>2. That, as the draft Amendment is in the opinion of Council consistent with Part V and Schedule 1 of the Act, regulations made pursuant to the Act and relevant state planning policy prepared under Part III of the Act, that upon preparation of the necessary documentation, the draft Amendment be referred to the Environmental Protection Authority (EPA) as required</p>	<p>Scheme Amendment documents prepared and forwarded to the EPA for assessment. Department of Planning, Department of State Development, Water Corp and Land Corp advised.</p> <p>Await EPA and agency response before referring back to Council for consideration.</p> <p>A further report is included in the March 2011 agenda.</p> <p>(Dec 2010)</p>

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				<p>by Part V of the Act, and on receipt of a response from the EPA be referred back to Council to consider whether the Amendment will further pursued.</p> <p>3. That the views of Department of Planning, Department of State Development, Water Corp and Land Corp be sought concerning the draft Amendment.</p> <p>4. That following response from the EPA in accordance with Part 2 above and the Department of Planning, Department of State Development, Water Corp and Land Corp in accordance with Part 3, the matter be referred back to Council for further consideration. In preparing a further Report on the matter, the Chief Executive Officer be requested to:</p> <p>i) Address the responses from the EPA and agencies; and</p> <p>ii) Provide a draft Local Planning Policy that addresses the necessary residential design criteria and any special town related matters.</p>	
14	12/10	13.12.77	Application for Planning Approval for a 800 Person Construction Village/Accommodation Facility ('Transient Workforce Accommodation') for Solomon Dally Mine	<p>1. That Council not advertise the Application for reasons outlined in this Report.</p> <p>2. That Council, subject to the Minister for Environment determining the level of assessment authorise the Chief Executive Officer to issue Planning Approval in respect of Mining Lease L47/293 Coordinates:GDA94datum (generally at) 585500E, 7543500N Hamersley, Shire of Ashburton for a construction village/accommodation facility (transient workforce accommodation camp for 800 persons) generally in accordance with the submitted plans and subject to the following conditions:</p> <p>a) A Building Licence for the development should be obtained prior to 15 December 2012. This Planning Consent lapses if a building licence for the development has not been obtained by 15 December 2012. Further to this, if the development is not substantially commenced in accordance with the Building Licence by 15 December 2012, then this Planning Consent lapses at that date.</p> <p>b) The Development shall comply with the Shire of Ashburton Town Planning Scheme No. 7, the Shire's Local Planning Policy – "Transient Workforce Accommodation", the Health Act, the Building Code of Australia, the Western Australian Fire Board Regulations and Local Laws.</p> <p>c)The land use and development shall be undertaken generally in</p>	<p>Applicant advised of Council decision.</p> <p>EPA advised that Approval can be issued.</p> <p>On this basis, Approval has issued.</p> <p>No further action required. (Dec 2010)</p>

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				<p>accordance with the approved plans, in a manner that is deemed to comply with the satisfaction of the Chief Executive Officer.</p> <p>d) Prior to the development being occupied the “owner of the land” shall enter into a signed agreement with the Shire of Ashburton, pursuant to Clause 6.9.4 of the scheme. The agreement shall require the use of the structures to cease by 15 December 2030 or other period as agreed by the Chief Executive Officer and the structures be removed within 28 days.</p> <p>e) A Fire Management Plan shall be prepared by the applicant and adopted by Council and thereafter implemented to Council’s satisfaction prior to the issuing of a Building Licence.</p> <p>f) All storm water produced on the site shall be disposed of either to an underground drainage system or disposed of on the site, but in either case the means of disposal must be to the satisfaction as directed by the Shire. Plans must be submitted prior to issue of a building licence showing details of the drainage layout, showing the pipes direction, invert levels, grade size and the locations of any pits.</p> <p>g) A geotechnical report covering the development area being prepared by the applicant at the applicant’s cost and to the satisfaction of the Chief Executive Officer. The report to be lodged with the building licence application, together with certification from a structural engineer that the design is suitable for the site conditions as outlined in the geotechnical report.</p> <p>h) A comprehensive effluent plan and drainage plan shall be submitted to Council and such plan(s) approved prior to the issue of a Building Licence. All works to be constructed as per the approved plan.</p> <p>i) The operator is solely responsible for the removal of all litter and rubbish and shall ensure that the site is retained in pristine condition at all times.</p> <p>j) The use when established shall at all times comply with the definition of “transient workforce accommodation” as contained within Town Planning Scheme No. 7, as follows: <i>“....dwellings intended for the temporary accommodation of transient workers and may be designed to allow transition to another use or may be designed as a permanent facility for transient workers and includes a contractor’s camp and</i> </p>	

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				<p align="center"><i>dongas.”</i></p> <p>Advise the applicant as follows:</p> <ul style="list-style-type: none"> ix. In relation to Condition (e), it is recommended that prior to the submission of the Fire Management Plan and Emergency Evacuation Plan, the Applicant discuss the proposal with FESA. x. Further to this approval, the Applicant is required to submit working drawings and specifications to comply with the requirements of Part 4 of the Building Regulations, 1989 (as amended) and the Health Act, 1911 (as amended) which are to be approved by the Shire’s Principal Building Surveyor and Principal Environmental Health Officer prior to the issue of the Building licence. xi. The drawings submitted for a building licence are to be properly drawn and certified by a practising structural engineer to confirm that they comply with the requirements of the Building Code of Australia. xii. Advise the applicant that the issuing of development approval for the development pursuant to Shire’s Planning Scheme does not constitute approval to use the Operation/Construction Facility unless all matters relating to Local Government (Miscellaneous Provisions) Act have been addressed. xiii. Please note that in order to expedite determination of planning applications Council has delegated to officers the power to consider applications where they comply with Council’s Delegation Register. This application has been determined under Delegation provided by Council. xiv. Rights of appeal are also available to you under the Planning and Development Act 1928 (as amended) against the decision of Council, including any conditions associated with this decision. Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017). xv. The issuing of development approval for the development pursuant to Shire’s Planning Scheme does not constitute approval to use the Operation/Construction Facility unless all matters relating to Local Government (Miscellaneous Provisions) Act have been addressed. xvi. The Shire of Ashburton contains many places of Aboriginal Heritage significance. Proponents are advised to consider Aboriginal heritage 	

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				<p>xvii. issues and their obligations under the Aboriginal Heritage Act 1972 at an early stage of planning. Further information can be obtained from the Department of Indigenous Affairs on 9235 8000 or at the following web site ://www.dia.wa.gov.au/Heritage/default.aspx.</p> <p>This Planning Approval issued by the Shire of Ashburton does not remove any responsibility the Applicant may have in obtaining a vegetation clearing permit from the Department of Environment in accordance with the Environment Protection Act 1986. Further information can be obtained from the Department of Environment or at the following website .environment.wa.gov.au.</p> <p>xviii. This Planning Approval issued by the Shire of Ashburton does not remove any responsibility the Applicant may have in notifying Environment Australia of the proposal for consideration of impacts in accordance with the Environmental Protection and Biodiversity Conservation Act 1999. Further information can be obtained from Environment Australia on (02) 6274 1111 or on ://www.deh.gov.au/epbc/assessmentsapprovals/index.html.</p>	
15	12/10	13.12.78	Draft Social Impact Assessment for FMG's Solomon Hub Project	<p>That Council:</p> <ol style="list-style-type: none"> 1. Request the Acting Chief Executive Officer to write to the Chief Executive Officer of Fortescue Metals Group (FMG): <ol style="list-style-type: none"> a. Congratulating FMG for preparing the draft SIS as a basis for determining the social and economic impacts of the Solomon Hub on the town of Tom Price along with FMG's commitment in promoting opportunities for Aboriginal businesses on the project. b. Advising FMG that its operations in the Shire of Ashburton associated with the Solomon Hub are of significant interest and importance to the Shire and in particular, the community of Tom Price. In this regard, the draft SIS has highlighted the need to address a number of socially important matters including the location of FMG operational staff and families in Tom Price. Also important is the appropriate siting of the aerodrome in a location and of a sufficient standard that would be of benefit the community of Tom Price. In this regard, Council would be prepared to establish a working group of Councillors, senior Shire staff, community members and senior representatives from FMG with the aim of addressing key matters associated with the Solomon Hub including locating operation staff in Tom Price and the proposed aerodrome. 	<p>FMG advised of Council decision.</p> <p>Further letter sent to FMG seeking a response to Council's resolution.</p> <p>Await response. (Dec 2010)</p>

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				2. Provide Council with a further Report on the matters addressed in 1b). above and depending upon the response from FMG, recommend draft parameters for a working group including seeking representation from the Tom Price and Paraburdoo Business Association on the working group.	
16	11/10	13.11.66	Town Planning Scheme Amendment No. 12 and Associated Draft Local Planning Policy for Advertising	<p>1. That Council in Pursuance of Part V of the Planning and Development Act 2005 ("Act"), adopt for community consultation purposes draft Amendment No. 12 ("draft Amendment") to the Shire of Ashburton Town Planning Scheme No. 7 ("Scheme") which proposes:</p> <p>1. Modifying Clause 6.6 of the Scheme by inserting the following clauses:</p> <p>“6.6.2 Notwithstanding any other provision of the Scheme, where reticulated sewerage and water is available to a lot in Tom Price and Paraburdoo:</p> <p>(a) the local government may consent to the development for the purposes of the erection of not more than two grouped dwellings on a lot comprising not less than 874m², with a minimum site area of 437m² per grouped dwelling, within any area coded R20 or greater on the Scheme Map, subject to formal advertising pursuant to Clause 5.7;</p> <p>(b) subject to Sub-Clauses (d), the local government may for the purposes of urban consolidation, only consent to the development of a lot for the purposes of grouped dwellings at a maximum density of R30 on a lot greater than 1,500m² within any area coded R20 on the Scheme Map, subject to formal advertising pursuant to Clause 5.7;</p> <p>(c) subject to Sub-Clause (d), the local government may for the purposes of urban consolidation, only consent to the development of a lot for the purposes of grouped dwellings at a maximum density of R40 on a lot greater than 1,500m² within any area coded R30 on the Scheme Map, subject to formal advertising pursuant to Clause 5.7; and</p> <p>(d) in determining any application lodged pursuant to Sub-Clauses (a), (b) & (c) above the local</p>	<p>Scheme Amendment documents prepared and forwarded to the EPA for assessment.</p> <p>A further report is included in the March 2011 agenda.</p> <p>(Dec 2010)</p>

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				<p>government shall consider, in addition to those matters listed in Clause 5.9 the likely impacts of the proposed development on the identifiable area provision under Part 7, any relevant Local Planning Policy and amenity of the immediate locality in which the proposed development is to be situated; and</p> <ol style="list-style-type: none"> 4. Draft <i>Local Planning Policy - Assessment of Applications under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme No. 7</i> amended to reflect the changes in Part as a draft Local Planning Policy under the provisions of clause. 2.3 of Town Planning Scheme No. 7 and it be advertised in accordance with clause 2.31 of the Scheme concurrently with the advertising of draft Amendment No. 12 to the scheme. 5. That Council adopts draft Local Planning Policy – Assessment of Applications under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme No. 7, (as amended in Part 2) as a draft Local Planning Policy under the provisions of clause 2.3 of Town Planning Scheme No. 7 and it be advertised in accordance with clause 2.31 of the Scheme concurrently with the advertising of draft Amendment No. 12 to the scheme. 6. That the Acting Chief Executive Officer prepare a report to the December meeting of Council that addresses the potential for a scheme amendment on land in Onslow zoned Residential R12.5 that would provide duplex development on specific lots. 7. Following advertising of the draft Amendment No. 12 and draft <i>Local Planning Policy - Assessment of Applications under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme No. 7</i>, the matters be referred back to Council for consideration. 	
17	11/10	13.11.68	Disposal of Lot 604 Rocklea Road, Paraburdoo	<p>That Council, pursuant to Section 3.58 of the Local Government Act 1995 resolve to:</p> <ol style="list-style-type: none"> 1. Dispose of Lot 604 Rocklea Road Paraburdoo by public auction or private treaty; and 2. Delegate authority to the Chief Executive Officer to <ol style="list-style-type: none"> a) seek a valuation from a licenced valuer; and b) set the reserve price. 	<p>Note Item 10.02.03 of Feb 2011 meeting where Council resolved to accept tender. No further action required. (Nov 2010)</p>

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#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
18	11/10	13.11.69	Draft Town Planning Scheme Amendment No. 7 to Rezone Lots 603 and 604 Rocklea Road Paraburdoo to Residential R50	<p>That Council, in pursuance of Part V of the Planning and Development Act 2005 ("Act"), adopt for community consultation purposes draft Amendment No. 7 ("draft Amendment") to Shire of Ashburton Town Planning Scheme No. 7 ("Scheme") that proposes:</p> <ol style="list-style-type: none"> 5. To rezone Lot 604 Rocklea Road Paraburdoo from 'Public Purposes – Community' reserve to 'Residential' zone with a Residential Planning Code equivalent of 'R 50' as set out in the Amendment Map. 6. To rezone part Lot 603 and Lot 606 Rocklea Road Paraburdoo from 'Community' zone to 'Residential' zone with a Residential Planning Code equivalent of 'R 50' as set out in the Amendment Map. 7. To modify the existing Residential zone Residential Planning Code equivalent of 'R 30 for part Lot 603 Rocklea Road Paraburdoo to R50' as set out in the Amendment Map. 8. That, as the draft Amendment is in the opinion of Council consistent with Part V and Schedule 1 of the Act, regulations made pursuant to the Act and relevant state planning policy prepared under Part III of the Act, that upon preparation of the necessary documentation, the draft Amendment be referred to the Environmental Protection Authority (EPA) as required by Part V of the Act, and on receipt of a response from the EPA indicating that the draft Amendment is not subject to formal environmental assessment, be referred back to Council to consider whether the Amendment will further pursued. 9. That the Chief Executive Officer be instructed to write to RTIO requesting that that contribute on an equal basis to the cost of initiating and pursuing Amendment No. 7. 10. That following response from the EPA in accordance with Part 4 above, the matter be referred back to Council for further consideration. In preparing a further Report on the matter, the Chief Executive Officer be instructed to: <ol style="list-style-type: none"> iii) Address the response from the EPA; iv) Provide a draft Local Planning Policy that addresses setbacks to Rocklea Road and planning guidelines for potential residential and transient workforce accommodation use and development on Lots 603 and 604, 606 and Part Lot 61 Rocklea Road, Paraburdoo; and RTIO's response pursuant to part 5 of this recommendation. 	Scheme Amendment documents prepared and forwarded to the EPA for assessment RTIO advised. (Dec 2010)

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#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
19	10/10	13.10.56	Environmental Health & Trading in Public Places Fees and Charges Amendment	<p>That Council:</p> <ol style="list-style-type: none"> 1. In accordance with the provisions of Section 6.17 and 6.18 of the Local Government Act 1995 replace the Fees and Charges Schedule for the 2010/11 Financial year as it relates to the Food Act 2008 with the following: <ul style="list-style-type: none"> • High Risk \$500 • Medium Risk \$400 • Low Risk \$300 2. Delegate to the Chief Executive Officer the authority to discount fees levied under the Food Act 2008 where food standards have been deemed satisfactory the previous year. <p>Reason for Council Decision - The Chief Executive Officer advised Council that clarification was required as to the precise wording.</p>	<p>Note Item 13.02.07 to Feb 2011 meeting.</p> <p>No further action required.</p>
20	10/10	13.10.58	Position Paper on Fly-In Fly-Out Workforce and Accommodation	<p>That Council:</p> <ol style="list-style-type: none"> 1. Notes the Report and Schedule of submissions. 2. Instructs the Chief Executive Officer to: <ol style="list-style-type: none"> a) Prepare a further Report to Council concerning: <ol style="list-style-type: none"> i) A revision to the Shire's <i>Local Planning Policy – Transient Workforce Accommodation</i> based on the following 'policy' position: <p><i>"The Council of the Shire of Ashburton acknowledges that "fly- in, fly-out" workforce operations are an important factor in developing the resources of the Pilbara. Transient workforce accommodation generally falls into two workforce categories:</i></p> <ul style="list-style-type: none"> • <i>construction workforce; and</i> • <i>operational workforce.</i> <p><i>The Council acknowledges that there will be circumstances such as remoteness and limited life of a particular activity that result in a need for transient workforce accommodation camps to be established outside of the townsites.</i></p> <p><i>These camps will normally be construction workforce transient workforce accommodation and for a limited time period. Construction workforce transient workforce accommodation will usually be for a limited time (short term construction period) and reasonably be placed in close proximity to the specific development. Normally the construction workforce is much larger than an operational workforce. An operational workforce however is normally for an indefinite period of time and therefore should as far as practical, be housed within an</i></p> 	<p>Ongoing.</p> <p>Item 1. – No action required.</p> <p>Item 2a. – Report and draft Scheme Amendment was referred to February Council meeting and forms Scheme Amendment No. 14 and draft revision to TWA Local Planning Policy</p> <p>No further action</p>

AGENDA – ORDINARY MEETING OF COUNCIL 16 MARCH 2011

#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
				<p><i>existing town. The desire is to incorporate the workforce with the community thus adding to the vibrancy and economic sustainability of the towns of Tom Price, Onslow Paraburdoo and Pannawonica. Operational transient workforce accommodation within townsites will be of a very high quality for the benefit of occupiers, as well as the community, generally motel style development, with significant landscaping, quality design and materials, will be encouraged. The Council may seek to place a limit on the overall proportion (%) of transient workforce accommodation within a development."</i></p> <p>ii) An amendment to the Shire of Ashburton Local Planning Scheme No. 7 that would allow transient workforce accommodation in the Commercial and Civic zone as an 'A' use and where such development reflects the following 'principles':</p> <ul style="list-style-type: none"> • any such transient workforce accommodation will be of a very high quality for the benefit of occupiers, as well as the community; • motel style development, with significant landscaping, quality design and materials, will be encouraged; and • a limitation on the overall proportion (%) of transient workforce accommodation within a development may be required by Council. <p>iii) And the water report shall consider, but not be limited to socio economic and water reticulation issues.</p> <p>b) Write to the submitters thanking them for their time and assistance in providing their respective advice and opinions on the complex issue of 'fly in fly out' workforce in the Shire and providing them with a copy of the Council resolution.</p>	<p>required. (Oct 2010)</p>
21	06/10	13.06.31	Draft Town Planning Scheme Amendment No. 8 –Modifications To Strategic Industrial Zone To Prohibit Transient Workforce Accommodation.	<p>1. That the Council, in pursuance of Part V of the <i>Planning and Development Act 2005</i>, adopt draft Amendment No. 8 ("draft Amendment") to Shire of Ashburton Town Planning Scheme No. 7 ("Scheme") for final approval for the purposes of modifying the zoning table of the Scheme to read as follows:</p> <p>(a) Identifying Transient Workforce Accommodation as an X use class in the Strategic Industry zone.</p>	<p>Ongoing Amendment referred to Western Australian Planning Commission.</p>

AGENDA – ORDINARY MEETING OF COUNCIL 16 MARCH 2011

#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
				<p>2. That Council endorse the schedule of submissions prepared in response to the community consultation undertaken in relation to the draft Amendment.</p> <p>3. That the Council refer the draft Amendment so adopted for final approval, to the Western Australian Planning Commission with a request for the approval of the Hon. Minister for Planning.</p> <p>That, where notification is received from the Western Australian Planning Commission that a modification of the amendment is required prior to approval of the amendment by the Minister, this modification is to be undertaken in accordance with the requirements of the Town Planning Regulations 1967, unless it is considered by the Shire that the modification affects the intent of the amendment in which case it shall be referred to the Council for consideration.</p>	Await Minister's decision. (Oct 2010)
22	05/10	13.05.28	Adoption of Draft Townsite Strategy - Onslow	<p>That Council:</p> <ol style="list-style-type: none"> 1. Note this Report and Schedules 1-3. (Attachments 13.05.28(a)(b)(c)) 2. Accept the late submissions (Schedule 3). 3. Modify and adopt the draft Onslow Townsite Strategy in accordance with the recommendations reflected in Schedules 1-3 and the Report to Council. 4. Request the Western Australian Planning Commission to endorse the Onslow Townsite Strategy as adopted by Council. 	Ongoing Modified Strategy has been provided to the Western Australian Planning Commission for finalisation. (Sept 2010)
23	05/08	13.05.23	Council Policy Review – Aboriginal Environment Health Policy.	Directs the Chief Executive Officer to draft a new Council Policy relating to Aboriginal Environmental Health Strategy and report back to Council	Ongoing – Close to finalising AEH-Strategy. To be submitted to Council ASAP.
24	03/08	13.03.11	Town Planning Scheme Amendment No. 2 – Modification to the Scheme to reflect local planning policy – Transient Workforce Accommodation	<p>That Council, in pursuance of Part V of the <i>Planning and Development Act 2008</i> ("Act"), adopt for community consultation purposes draft Amendment No. 2 ("Amendment") to <i>Shire of Ashburton Town Planning Scheme No. 1</i> ("Scheme") that proposes:</p> <ol style="list-style-type: none"> 1. That the zoning table be modified as follows: <ol style="list-style-type: none"> (a) Identifying 'Transient Workforce Accommodation' as a 'X' use class in the 'Mixed Business' zone; 	Ongoing. Further information being gathered for Council. Being considered in

AGENDA – ORDINARY MEETING OF COUNCIL 16 MARCH 2011

#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
				<p>(b) Identifying 'Transient Workforce Accommodation' as a 'X' use class in the 'Industrial & Mixed Business Development' zone; and</p> <p>(c) Identifying 'Transient Workforce Accommodation' as a 'X' use class in the 'Rural Living' zone;</p> <p>2. That, as the draft Amendment is in the opinion of Council consistent with Part V and Schedule 1 of the Act, regulations made pursuant to the Act and relevant state planning policy prepared under Part III of the Act, that upon preparation of the necessary documentation, the draft Amendment be referred to the Environmental Protection Authority (EPA) as required by Part V of the Act, and on receipt of a response from the EPA indicating that the draft Amendment is not subject to formal environmental assessment, be advertised for a period of 42 days, in accordance with the <i>Town Planning Regulations 1967</i>.</p> <p>3. That following advertising of the draft Amendment, the matter be referred back to Council for further consideration.</p>	<p>association with draft Amendment No.8. (Sept 2010)</p>

Officers Recommendation

That Council note the contents of the Development Services Decision Status Report.

14.03.0 WESTERN OPERATIONS REPORTS

14.03.04 MULTIPURPOSE CENTRE GYM OPERATIONS

FILE REFERENCE: TH.R.30686

AUTHOR'S NAME AND POSITION: Amanda O'Halloran
Executive Manager Western Operations/ Aerodrome Manager

NAME OF APPLICANT/RESPONDENT: Shire of Ashburton

DATE REPORT WRITTEN: 8 March 2011

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

PREVIOUS MEETING REFERENCE: Agenda Item 14.11.16 of Ordinary Meeting of Council 20 November 2007

Summary

The Shire of Ashburton has operated "Jim's Gym" for the past since November 2007. It is proposed to move the existing gym operations to the newly constructed Multipurpose complex (MPC). The Gym will stock the latest equipment and offer an all round experience to the Onslow Community. Council endorsement of the fees and operational procedures is sought.

Background

The current gym operated by Council has had mixed success. On canvassing current users it is likely to be due to the obscurity of the building and the small and close environment. The equipment on offer was basic and only catered for a portion of the gym experience. Fees/levies received were encouraging and it is considered that they will rise considerably once the MPC Gym opens.

Comment

The recently constructed MPC caters for a gym within the premises, whilst in the long term it is hoped that a business opportunity may exist, it is proposed that Council continue to operate the Gym until that eventuality. BHP Billiton contributions have enabled the purchase of a wide range of up to date equipment.

It is therefore anticipated that on opening the Gym will be furnished with a comprehensive fitness opportunity for clients, providing a quality experience.

The Gym will be unmanned. It is fitted with CCTV, to be able to track damage and vandalism that may occur. Many gyms are unmanned and provide an adequate service to the community. The Gym will be accessible by swipe card 24 hrs a day. This ensures shift workers have ample opportunity to access facilities. Swipe cards can be discontinued through minor programming.

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Maintenance and Operational impost on Council

Council Staff have reviewed the operations of the Gym and provided some basic business analysis below –

Anticipated Memberships – based on minimal take up of Gym.

10	family yearly memberships	\$ 6,150.00
10	6 monthly memberships	\$ 3,200.00
15	monthly memberships x 9 mths	\$14,850.00
5	weekly memberships x 48 weeks	<u>\$10,800.00</u>
	TOTAL	\$35,000.00

Proposed Fees and Charges

Type	Weekly rate	Monthly	6 monthly	Yearly
Adult	\$45.00	\$110.00	\$360.00	\$485.00
Concession <i>(Must present pension card)</i>	\$30.00	\$ 90.00	\$320.00	\$425.00
Family	-	-	\$490.00	\$615.00
Lost Swipe Card <i>(Initially supplied with Membership)</i>	\$35.00 per replacement card			

**** Singular visit – flat fee of \$15.00**

***** Corporate membership discounts haven't been included in the fees and charges schedule.**

Business proposing the memberships of 10 or more members will be offered the concession rate per membership sort.

Proposed Income and Expenditure Analysis

Description	Income	Expenditure	Comment
Utilities		7,000	This will need to be monitored for first 12 months to gauge costs. There is enough buffer to ensure any increase is covered.
Maintenance of Building		1,500	Estimate only
Advertising and Marketing		500	Estimate only
Insurance		4,000	Estimate only
Depreciation		3,000	Money should be cashed back
Equipment Maintenance and Replacement		6,000	Worst case scenario covered. Money should be allocated to reserve if not expended
Cleaning		10,000	Worst case scenario covered
Advertising	3,000		Estimate only
Sponsorship	2,000		Estimate only
Fees/ Levies	35,000		** As per scenario above.
TOTALS	\$40,000.00	31,500	

Staff believe that there is adequate momentum in the community to support the business case above. There are many avenues that haven't been explored and with some minor marketing further opportunities exist.

Project staff are waiting on the installation of security operating system to further the opening of the gym. Delayed installation which is reliant on Perth based company may cause slight delay in opening. Team working towards first week in April 2011 opening.

Consultation

Executive Manager Western Operations
Current Gym Users
Community Consultation
Regional Gyms – Tom Price Body Line, Geraldton Gym.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

As per modeling presented to Council

Strategic Implications

Shire's Strategic Plan 2007-2011:

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

Strategic Objective 2: Include and engage our community – The Shire of Ashburton's objective is to enhance lifestyle by providing opportunities for quality health and educational services, physical activity and social interaction.

Voting Requirement

Absolute Majority Required

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Officers Recommendation

That Council:

1. Endorse the opening and Shire operation of the Multipurpose Complex Gym.
2. Adopts the Fees and Charges proposed and that these fees and charges be advertised by Local Public Notice.

Proposed Fees and Charges

Type	Weekly rate	Monthly	6 monthly	Yearly
Adult	\$45.00	\$110.00	\$360.00	\$485.00
Concession <i>(Must present pension card)</i>	\$30.00	\$ 90.00	\$320.00	\$425.00
Family	-	-	\$490.00	\$615.00
Lost Swipe Card <i>(Initially supplied with Membership)</i>	\$35.00 per replacement card			

**** Singular visit – flat fee of \$15.00**

***** Corporate membership discounts haven't been included in the fees and charges schedule. Business proposing the memberships of 10 or more members will be offered the concession rate per membership sort.**

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

**14.03.04 INCLUSION OF THE “JIMS GYM” BUILDING AND LAND INTO THE
ONSLow SPORTS CLUB LEASE**

FILE REFERENCE:	TH.R.30686
AUTHOR’S NAME AND POSITION:	Amanda O’Halloran Executive Manager Western Operations/ Aerodrome Manager
NAME OF APPLICANT/ RESPONDENT:	Shire of Ashburton
DATE REPORT WRITTEN:	8 March 2011
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in this matter.
PREVIOUS MEETING REFERENCE:	Agenda Item 14.11.16 Ordinary Meeting of Council 20 November 2007

Summary

The Shire of Ashburton has operated “Jim’s Gym” since November 2007. It is proposed to move the existing gym operations to the newly constructed Multipurpose Complex (MPC). The Council will therefore no longer require the current transportable building that was used for “Jims Gym”. It is proposed to reinstate the land and subsequent building into the Onslow Sports Club (OSC) Lease hold.

Background

The Shire of Ashburton accepted the gift of Jims Gym from BHPBilliton. The gym was located at the back of the OSC. At the time it was hoped that the OSC would operate the gym, however the OSC was not in agreement and the land that the gym presently sits on was excised from the Lease and the licensed area of the OSC.

In order to accommodate the gym the power supply to the OSC was upgraded and this allowed for air conditioning to operate in the gym building.

On finalising the handover of the gym with BHPBilliton it was recognised that Council was in the process of seeking funding to build the Onslow MPC and that in the future the gym building donated by them may be handed over to the OSC for an alternative use. BHPBilliton Management at the time were in agreement with the succession plan.

Comment

The completion of the MPC has resulted in the planned opening of the MPC gym and will therefore see the “Jims Gym” building be surplus to Council requirements. OSC have long had a desire to develop a kitchen complex out of the Gym building, it is the author’s understanding that this is still an aspiration of the OSC.

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It is therefore recommended that Council support the inclusion of the land and building of the “Jims Gym” into the OSC lease. It is proposed that official hand over will occur on the 18 April 2011. Formal documentation will be provided to the OSC if Council supports the proposal.

Consultation

Onslow Sports Club Members
Councilor Kerry White
BHP Billiton

Statutory Environment

Clause 30 of the Function and General Regulations indicates that the Shire is permitted to transfer this land to the Onslow Sports Club without the need to go through a land disposal process as indicated in Section 3.58 of the Local Government Act as the OSC has a sporting purpose.

Waiting on the advice of Councils legal representatives, all statutory matters will be considered.

Policy Implications

Nil

Financial Implications

Minor Legal and Survey Fees will be incurred by Council – a provision for minor fees was made at setting of the 2010/11 Budget.

Strategic Implications

Shire’s Strategic Plan 2007-2011:

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

Strategic Objective 2: Include and engage our community – The Shire of Ashburton’s objective is to enhance lifestyle by providing opportunities for quality health and educational services, physical activity and social interaction.

Voting Requirement

Simple Majority Required

Officers Recommendation

That Council endorse the inclusion of the “Jims Gym” land and building into the Onslow Sports Club Lease and accept the resulting legal and survey fees to facilitate this.

Author: Amanda O’Halloran	Signature:
Manager: Jeff Breen	Signature:

AGENDA – ORDINARY MEETING OF COUNCIL 16 MARCH 2011

14.03.05 WESTERN OPERATIONS DECISION STATUS REPORT

#	Council Meeting	Agenda Ref.	Report Title	Council Decision	Current Status
ENGINEERING					
1	03/09	15.03.01	Mosquito Management Plan	That Council 1. Formalise a Mosquito Control Program for the Shire of Ashburton 2. Approve the unbudgeted capital expenditure of \$23,000 on Mosquito Control Program assets	4/3/2011 – Health Dept is working on plan and will present TO Council ASAP.
COMMUNITY					
1	02/11	14.02.01	Pannawonica Community Investment	Council resolves to accept the Wandoo offer of reimbursement for monies previously expended \$23,777.00 and redirect the \$50,000.00 towards age appropriate play equipment as required.	4/03/2011 – This is underway and should be completed by April 2011.
2	05/10	16.05.06	Draft Ashburton North Community Investment Strategy	That Council support in principle the draft Ashburton North Community Infrastructure Strategy.	4/03/2011 Ongoing Discussion with State Government agencies & resource companies.
3	04/10	14.04.06	Lot 944 First Street, Onslow Reserve 42626	That Council: (a) call for expressions of interest from the Onslow community to establish an arts and culturally based use for the property 944 First Street, and (b) that Council list the appropriate budget funding for the upkeep and progressive restoration of the property 944 First Street.	4/03/2011 To be priority in the first quarter of 2011
4	11/08	14.11.18	Pannawonica Community Plan	That Council advise the Minister for State Development and Robe River Mining Company Pty Ltd, that: (a) The Shire views with concern the company's public release of the Pannawonica Community Plan prior to the Council having an opportunity to formally consider the Shire initiated plan (b) It does not support the Pannawonica Community plans prepared by the company for the following reasons: a. The community infrastructure and services components of the plan lack definition, are limited in scope and are largely uncosted	To be priority in the first quarter of 2011

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#	Council Meeting	Agenda Ref.	Report Title	Council Decision	Current Status
				b. The community plan largely consists of elements which are not community infrastructure or services c. The community plan is based on a workforce which appears to have a greater emphasis on Fly In – Fly Out operators based in Pannawonica than when the Mesa A project was submitted to the Minister for State Development for approval pursuant to the State Agreement.	
CORPORATE					
1	03/05	12.03.120	Robe River Memorandum of Understanding	That Council agrees to the Memorandum of Understanding between the Shire of Ashburton and Robe River containing the following commitments: 1. The Shire of Ashburton leasing: <ul style="list-style-type: none"> • The Library, Shire Office and Sentinel Chicken Coops; • The Dog Pound; • The Caravan Park and Ablutions Block 2. Robe River renovating the above facilities prior to the commencement of the leases. 3. The Shire of Ashburton donating the amount of \$1,000 annually to each of the Occasional Child Care Centre and Neighbourhood Centre. 4. The Shire of Ashburton committing to funding the Community Liaison Officer position for twenty (20) hours per week and to actively pursuing alternative funding sources for an additional twenty (20) hours. 5. The Shire of Ashburton providing two free street sweeps per year with additional sweeps provided on a fee for service basis.	To be priority in the first quarter of 2011
DEVELOPMENT					
1	12/10	14.12.20	Approval of Regular Passenger Transport Service for Onslow	That Council: <ol style="list-style-type: none"> 1. Approve the A/Chief Executive Officer to write to the Department of Transport requesting Onslow be a deregulated RPT route provided that the aerodrome is upgraded to sustain the service. 2. Approve in principle Skipper Aviations request to operate a RPT service to Onslow (on the proviso that the aerodrome is upgraded to sustain the service). 3. Amend the 2010/11 Budgeted Fees and Charges to include a RPT Head Tax of \$32.50 per Adult and \$16.25 per Child less than 12 years. 	4/03/2011 Application with the Department of Transport
2	11/10	16.11.13	Onslow Aerodrome Master Plan	That Council: <ol style="list-style-type: none"> 1. Council endorses the DRAFT ONSLOW AERODROME MASTER PLAN, as a planning guideline for the expansion and development of the Onslow Aerodrome land. 	4/03/2011 Plan going out for industry consultation on

AGENDA – ORDINARY MEETING OF COUNCIL 16 MARCH 2011

#	Council Meeting	Agenda Ref.	Report Title	Council Decision	Current Status
				Council agrees to the allocation of \$100,000 towards the Onslow aerodrome upgrade and associated planning and consultant services.	the 11/03/2011. Negotiations with Chevron on Design underway.
3	12/08	13.12.408	Proposed Transfer of Emergency Services Building	<p>That :-</p> <ol style="list-style-type: none"> 1. Council agree to transfer the tenure of the Onslow Emergency Service Building to FESA subject to:- <ol style="list-style-type: none"> i) FESA to become responsible for the outstanding loan on the facility and any financial outlay required for the transfer thereof; and ii) A condition being placed on the Management Order over the premises that they are to be used only to house the local Volunteer Emergency Services including the Marine Rescue Service. 2. The necessary procedures required to affect the transfer be implemented. 3. The present designation of Lot 971 in the Shire's Town Planning Scheme No.7 be amended to reflect the existing land use during the Planning Scheme review for Onslow. 4. The future need of the Onslow Emergency Services Building Management Committee and Instrument of Delegation DA503 be noted and in due course be discontinued. 	Ongoing This item to be a priority in the first quarter of 2011

Officers Recommendation

That Council note the contents of the Western Operations Decision Status Report.

15.03.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

16.03.0 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.

16.03.04 CONFIDENTIAL ITEM – DRAFT AMENDMENT NO. 10 TO PLANNING SCHEME NO. 7 AND DRAFT ASHBURTON NORTH STRATEGIC INDUSTRIAL AREA STRUCTURE PLAN

FILE REFERENCE: PS.TP.10

AUTHOR'S NAME AND POSITION: Keith Pearson
Senior Strategic Advisor

NAME OF APPLICANT/RESPONDENT: Chevron Australia P/L
Department State Development

DATE REPORT WRITTEN: 3 March 2011

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

PREVIOUS MEETING REFERENCE: Agenda Item 13.12.74 Ordinary Meeting of Council 15 December 2010
Agenda Item 13.02.02 Ordinary Meeting of Council 16 February 2011

Please refer to Confidential Item Attachment under separate cover.

16.03.05 CONFIDENTIAL ITEM – CHIEF EXECUTIVE OFFICER APPOINTMENT

FILE REFERENCE: JA 02

AUTHOR'S NAME AND POSITION: Felicia Mudge
Human Resources Manager

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 8 March 2011

DISCLOSURE OF INTEREST: I declare an interest in this matter that one of the candidates for the position is my supervisor. I believe I am able to undertake my duties impartially and am not influenced by the interest I declare.

PREVIOUS MEETING REFERENCE: Agenda Item 16.07.08 Ordinary Meeting of Council 13 July 2010
Agenda Item 16.12.15 Ordinary Meeting of Council 15 December 2010

Please refer to Confidential Item Attachment under separate cover.

17.03.0 NEXT MEETING

The next Ordinary Meeting of Council will be held on 20 April 2011, at the RM Forrest Memorial Hall, Second Avenue, Onslow commencing at 3.00 pm.

18.03.0 CLOSURE OF MEETING