



**SHIRE OF ASHBURTON**

**ORDINARY COUNCIL MEETING**

**MINUTES**

**Council Chambers, Community Recreation  
Centre,  
TOM PRICE**

**17 August 2011**

# MINUTES - ORDINARY MEETING OF COUNCIL 17 AUGUST 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 17 August 2011 at Council Chambers, Community Recreation Centre, Tom Price commencing at 3:00.pm.

The business to be transacted is shown in the Agenda.

Jeff Breen  
**CHIEF EXECUTIVE OFFICER**

### **DISCLAIMER**

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

## MINUTES - ORDINARY MEETING OF COUNCIL 17 AUGUST 2011

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## MINUTES - ORDINARY MEETING OF COUNCIL 17 AUGUST 2011

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

The Shire President declared the meeting open at 3.00 pm.

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

The Shire President welcomed Alannah MacTeirnan and David Somerville from Questus Limited, Steve Jeffcote Jenny Fisher and Angelo Mustica from BHP Billiton and members of the public to the public gallery.

### 3. **ATTENDANCE**

#### 3.1 **PRESENT**

Cr G Musgrave	Shire President, Tom Price Ward
Cr L Rumble	Deputy Shire President, Paraburdoo Ward
Cr I Dias	Paraburdoo Ward
Cr L Thomas	Tableland Ward
Cr K White	Onslow Ward
Cr L Shields	Tom Price Ward
Cr L Corker	Ashburton Ward
Cr D Wright	Pannawonica Ward
Mr J Breen	Chief Executive Officer
Mr G Brayford	Executive Manager, Engineering Services
Mr F Ludovico	Executive Manager, Corporate Services
Ms Heather Patmore	A/Executive Manager, Community & Economic Services
Ms J Smith	Executive Assistant CEO
Mr Rob Paull	Principal Town Planner

#### 3.2 **APOLOGIES**

Ms A O'Halloran Executive Manager, Western Operations

#### **Council Decision**

**MOVED: Cr Shields**

**SECONDED: Cr White**

**That Council accept an apology from Ms O'Halloran.**

**CARRIED 8/0**

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

Cr Tony Bloem Tom Price Ward

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### 4. QUESTION TIME

#### 4.1 PUBLIC QUESTION TIME

At the Ordinary Meeting of Council held on 17 August 2011, no public questions were tabled.

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

At the Ordinary Meeting of Council held on 20 July 2011 Colin Macartney, President – Paraburdoo Squash Club tabled the following question.

**Q1. Can the Shire please advise me what they intend to do to improve the squash courts in the Sports Pavilion. One court is currently out of service and previous requests for repairs have been declined. The club has decided to proceed to repair the court to ensure the club continues as a sporting option for the town.**

The question was taken on notice and a response has been provided in Agenda Item 10.1 – Replacement of Damaged Floor at Paraburdoo Squash Courts.

#### 4.3 COUNCILLOR UPDATE / QUESTIONS ON STATUS REPORTS

### 5. APPLICATIONS FOR LEAVE OF ABSENCE

There were no applications received for leave of absence.

### 6. PETITIONS / DEPUTATIONS / PRESENTATIONS

#### 6.1 PETITIONS

There were no petitions presented to Council.

#### 6.2 DEPUTATIONS

There were no deputations presented to Council.

#### 6.3 PRESENTATIONS

Alannah MacTeirnan and David Somerville from Questus Limited gave a presentation on subsidies available for the construction of rental housing.

Steve Jeffcote, Macedon Project, BHP Billiton made representation to Council prior regarding Agenda Item No. 15.1 – Macedon Gas Development Project Planning Approval 20101070 – Request by BHPB to Modify Endorsed Plans Associated with the Construction of the “Macedon / ANSIA” Road.

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**7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**7.1 ORDINARY MEETING OF COUNCIL HELD ON 20 JULY 2011**

**Council Decision**

**MOVED: Cr Thomas**

**SECONDED: Cr Corker**

**That the Minutes of the Ordinary Meeting of Council held on 20 July 2011, as previously circulated on 2 August 2011, be confirmed as a true and accurate record.**

**Note: Item 13.07.47 – Development Application – Construction of Oval, Golf and Shad Facilities, Mesa A Camp, Crown Lot 107 (Special Lease 3116/8656) located 60km west of Pannawonica. It was noted that at the Council Meeting the Department of Local Government had emailed advice indicating approval for Crs Bloem and Wright to participate and vote on this item.**

**The Department of Local Government have subsequently indicated their email advice was incorrect and should not have been given. However in the light of the Council acting on that advice they have allowed the motion to stand.**

**CARRIED 8/ 0**

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

**Council Decision**

**MOVED: Cr Corker**

**SECONDED: Cr Shields**

**That Council defer Agenda Item 8 – Announcements by the Presiding Person Without Discussion to the end of the meeting.**

**CARRIED 8/0**

## 9. DECLARATION BY MEMBERS

Cr's Musgrave, Rumble, Shields, Corker, Dias, Wright, White and Thomas have given due consideration to all matters contained in the Agenda presently before the meeting. Cr Rumble has not read the financial reports.

### 9.1 DECLARATION OF INTEREST

#### Councillors to Note

A member who has a Financial Interest in any matter to be discussed at a Council or Committee Meeting, that will be attended by the member, must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting  
or;
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (c) Preside at the part of the Meeting, relating to the matter or;
- (d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the Local Government Act 1995.

#### **NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)**

The following notes are a basic guide for Councillors when they are considering whether they have a Financial Interest in a matter.

I intend to include these notes in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the Local Government Act 1995 but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
  - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the Local Government Act; or
  - 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the Local Government Act, with or without conditions.

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### 10. ENGINEERING SERVICES REPORTS

#### 10.1 REPLACEMENT OF DAMAGED FLOOR AT PARABURDOO SQUASH COURTS

**MINUTE:** 11005

**FILE REFERENCE:** PA.DG.0615

**AUTHOR'S NAME AND POSITION:** Geoffrey Brayford  
Executive Manager, Engineering Services

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

**DATE REPORT WRITTEN:** 4 August 2011

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

**PREVIOUS MEETING REFERENCE:** Public Question at the Ordinary Meeting of Council, 20 July 2011

#### **Summary**

Replacement of a damaged floor in one of two Paraburdoo squash courts is recommended.

Council is requested to allocate \$15,250 from general revenue to fund the replacement of the floor.

#### **Background**

The Paraburdoo Squash Courts are owned by Council and leased to the Paraburdoo Squash Club - a community organisation. There are two courts within the complex.

The club leases the premises from Council for \$500 per year + equivalent rates. The lease apparently began in 1994 and expires in 2014.

The floor of one court has deteriorated to a point where it is not useable. The damage has apparently been caused by water ingress, however there is no physical evidence of any major water access pathways. The floor had become so warped that no play can take place and it has been removed by the club.

An engineering report of the building was obtained by the Shire in September 2010. It dealt with cracking of non structural walls of the building, which were in part attributed to the leaking swimming pool which has since been repaired. The report also formed the view that water cooler leakage "is the likely cause of the moisture damage to the flooring". The cooler has been switched off pending repairs. The cracking damage does not pose any significant safety risk and no significant repairs are recommended, at least until the ground moisture stabilises following recent works. The cracking apparently does not significantly interfere with squash games.



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Volunteers have arranged for the timber floor to be removed and the under concrete surface to be painted with an epoxy membrane to stop the ingress of any moisture through the slab. Quotes have been arranged for a squash court flooring to be delivered, at a cost of \$15,250 EX GST. A 50% deposit has been paid by the club. The price includes supply and lay.

### Comment

This replacement is of a capital nature and is beyond any normal maintenance that the lessee could be expected to cover.

Whilst a new sporting complex has been identified it is only just entering the concept development stage and it would be at least 2 years (minimum) until alternate squash courts were available, if included in the design. That decision will be made by Council when the needs study and the community research is completed.

This time frame is considered to be too long and the floor needs to be replaced now.

Squash is a year round recreational activity, and the number of members justify at least two courts being operational.

### Consultation

Chief Executive Officer  
Executive Manager, Corporate Services  
Paraburdoo Squash Club

### Statutory Environment

Local Government Act 1995

### Policy Implications

Nil

### Financial Implications

Project has not been budgeted in the 2011/2012 financial year.  
A capital budget adjustment is necessary to undertake this work.

### Strategic Implications

Maintenance of sporting facilities.

### Voting Requirement

Absolute Majority Required.

### Council Decision

**MOVED: Cr Dias**

**SECONDED: Cr White**

**That Council:**

- 1. Approve the reconstruction of the floor of one Paraburdoo Squash Courts at a cost of \$15,250 EX GST.**
- 2. Allocate the amount of \$15,250 in the capital works program from general revenue.**

**CARRIED BY ABSOLUTE MAJORITY 8/0**

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### 10.2 ASSET MANAGEMENT POLICY

<b>FILE REFERENCE:</b>	FI.AS.00.00
<b>AUTHOR'S NAME AND POSITION:</b>	Geoffrey Brayford Executive Manager, Engineering Services
<b>NAME OF APPLICANT/RESPONDENT:</b>	Not Applicable
<b>DATE REPORT WRITTEN:</b>	4 August 2011
<b>DISCLOSURE OF FINANCIAL INTEREST:</b>	The author has no financial interest in this item.
<b>PREVIOUS MEETING REFERENCE:</b>	Not Applicable

#### Summary

The purpose of this agenda item is to adopt the Asset Management Policy to manage Shire owned assets in an efficient and sustainable manner.

#### Background

Shire of Ashburton is the custodian of assets which include roads, bridges, pathways, building and recreational services, park and reserves assets. As custodian of these assets, the Shire has an obligation to manage them in a sustainable manner where a long term approach must be taken in regards to asset management planning.

In order to develop sound asset management planning and systems and to comply with Department of Local Government (DLG) guidelines (will be a law in future), Council will need to have in place a framework for asset management which will support long term asset and financial planning. This framework comprises an asset management policy, strategy and asset management plans.

This report presents the first component of this framework, the Asset Management Policy.

#### ATTACHMENT 10.2A

#### Comment

The Asset Management Policy will be used:

- To develop Asset Management Strategy and Asset Management Plans
- To define the need for future operation/ maintenance, capital renewal, capital rehabilitation or capital upgrade expenditure.
- To make decision for effective financial management by forecasting of asset deterioration and appropriate intervention levels.
- To balance stakeholders needs and expectations.
- To improve corporate governance

#### ATTACHMENT 10.2B

#### Consultation

Shire of Ashburton CEO and All Executive Managers

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### Statutory Environment

- Department of Local Government, WA Guidelines
- Western Australian Asset Management Improvement Guidelines
- Local Government and Planning Ministers Council-National Asset Management Framework-2010
- Local Government Act-1995 will shortly be amended to include Asset Management Planning

### Policy Implications

There are no Council Policies relevant to this issue.

### Financial Implications

The Asset Management Policy needs to be incorporated into Shire's long term Financial Plan. The whole life cycle costing of new and existing assets will also need to be incorporated into Shire's long term Financial Plan.

### 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

### Council Decision

**MOVED: Cr Corker**

**SECONDED: Cr Shields**

**That Council adopt the Asset Management Policy.**

**CARRIED 8/0**

## 11. COMMUNITY & ECONOMIC SERVICES REPORTS

No agenda items were received from Community and Economic Services.

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### 12. CORPORATE SERVICES REPORTS

#### 12.1 USE OF COMMON SEAL UNDER DELEGATED AUTHORITY

MINUTE: 11006

FILE REFERENCE: AS.AS.00000.000

AUTHOR'S NAME AND POSITION: Janyce Smith  
Executive Assistant CEO

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 4 August 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 been affixed to the following documents since this matter was last reported to Council:

- Seal 371 DEC – Application for access easement for Paraburdoo Landfill site
- Seal 372 Nameless Jarndunmunha Festival Committee – Application for an Order for Road Closure
- Seal 373 Confidential Item – Wittenoom Asbestos Litigation – David Neacy – AS.WI.2

#### 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

### Council Decision

**MOVED:** Cr Corker

**SECONDED:** Cr Shields

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

**CARRIED 8/0**

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### 12.2 RECEIPT OF FINANCIALS AND SCHEDULE OF ACCOUNTS FOR MONTHS OF JUNE AND JULY 2011

**MINUTE:** 11008

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

**AUTHOR'S NAME AND POSITION:** Linda McCarthy  
Finance Manager

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

**DATE REPORT WRITTEN:** 8 August 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:

##### **June 2011**

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

**ATTACHMENT 12.2A**

##### **July 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 12.2B  
ATTACHMENT 12.2C**

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### **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  
34Local 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

### **Council Decision**

**MOVED: Cr Dias**

**SECONDED: Cr Shields**

**That Council receive the Financial Reports for June 2011 and Schedule of Accounts and Credit Card Statements for July 2011.**

**CARRIED 8/0**

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### 12.4 STRUCTURE REVIEW

**MINUTE:** 11009

**FILE REFERENCE:** OR.CM.09.00

**AUTHOR'S NAME AND POSITION:** Jeffrey Breen  
Chief Executive Officer

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

**DATE REPORT WRITTEN:** 11 July 2011

**DISCLOSURE OF FINANCIAL INTEREST:** The author has an interest in this matter as it pertains directly to the assessment by Council of his performance.

**PREVIOUS MEETING REFERENCE:** Agenda Item 15.10.23 Ordinary Meeting of Council October 2010  
Agenda Item 12.07.36 Ordinary Meeting of Council July 2011

#### **Summary**

Consultant Morrison Low has completed the Structure Review of Council.

Council is requested to endorse the report to enable implementation of the recommendations.

#### **Background**

At the Ordinary meeting of Council in October 2010, Council accepted the proposal to undertake a Structure Review.

Morrison Low was the successful consultant.

All staff has had the opportunity for input and over one hundred have been spoken to directly by the consultant.

In February 2011 a presentation was made to Council on the draft Structure Review report.

The report has since been modified and updated to reflect comments from Councillors and staff.

#### **ATTACHMENT 12.4**

#### **Comment**

Consultant Morrison Low, has completed the Structure Review report which is now presented to Council for endorsement.

The Executive Summary outlines the recommendations from the report.

The recommended corporate structure is provided as two options.

Option 2 is considered to be the preferred option at this time. It allows for a more structured and controlled approach to private works without the complications and legalities of setting up a company structure.



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Some new positions are created including two new Executive Manager roles, (Technical Services and Strategic and Economic Development) and one is removed (Western Operations).

It is proposed that these roles will be filled by current Executive Managers on the basis of redeployment and the new roles being substantially similar to the previous roles. Geoff Brayford will fill the Technical Services role and Amanda O'Halloran will fill the Strategic and Economic Development role.

Engineering will be divided into "specifier and doer" roles.

The Technical Services Department will be responsible for planning, building and health and all technical (feasibility, design, etc) aspects of engineering as well as asset management which will, amongst other things, specify service levels.

Operations will act as a contractor providing construction and maintenance services to the "client", Technical Services, or for private works to an actual client. A pseudo board will be established to oversee operations related to private works. This model may require further refinement and formalisation if private work increases and/or a mechanism for establishing a company is realised.

The proposed corporate structure will provide a greater focus on community with the economic services aspect being removed from the Community Development role.

Three new community roles will be created, one in each town (Pannawonica and Onslow to share a role) to provide an interface between the Council and community.

Strategic and Economic Development will be bolstered by the creation of a new department. This is particularly necessary during the period of rapid growth that is being experienced and with the introduction of the mandatory Integrated Planning Framework by the state government.

Corporate Services remains relatively unchanged.

The long term financial plan needs further consideration particularly in light of recent events related to social infrastructure in Onslow and other opportunities identified for income such as Tom Price and Onslow redevelopment, industrial land sales and private works. Further refinement of the model will occur over the next six months.

The recommended structure will allow for a greater integration of services across departments, improved community consultation and information and stronger internal control and reporting of projects.

### **Consultation**

Councillors  
Executive Managers

### **Statutory Environment**

Not Applicable

### **Policy Implications**

None at this stage however a review and reformatting of all policies will result from the acceptance of the report.

### **Financial Implications**

The stage one restructure costs are accounted for in the 2011/12 Budget.

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### Strategic Implications

Strategic Objective 6 - A Well Managed and Contemporary Corporation

### Voting Requirement

Simple Majority Required

#### Council Decision

**MOVED: Cr Shields**

**SECONDED: Cr Dias**

**That Council raise the item from the table.**

**CARRIED 8/0**

**The item raised from the table is details below:**

**MOVED: Cr Dias**

**SECONDED: Cr Wright**

**That Council:**

- 1. Endorses the Structure Review Report by Morrison Low.**
- 2. Directs the CEO to implement the recommendations.**
- 3. Directs the CEO to develop an implementation time line.**
- 4. Directs the CEO to report to Council on a quarterly basis on progress of the implementation.**

#### Amendment

**MOVED: Cr Rumble**

**SECONDED: Cr White**

**That Council:**

**Amend the recommendation by adding:**

- 5. The Community Liaison Officer for Paraburdoo shall attend a minimum of 6 consecutive Council Meetings, and following that, a review be undertaken by Council.**

**CARRIED 5/3**

#### Council Decision

**MOVED: Cr Rumble**

**SECONDED: Cr Wright**

**That Council:**

- 1. Endorses the Structure Review Report by Morrison Low.**
- 2. Directs the CEO to implement the recommendations.**
- 3. Directions the CEO to develop an implementation time line.**
- 4. Directs the CEO to report to Council on a quarterly basis on progress of the implementation.**
- 5. The Community Liaison Officer for Paraburdoo shall attend a minimum of 6 consecutive Council Meetings, and following that, a review be undertaken by Council.**

**CARRIED 7/1**

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### 12.5 ELECTED MEMBERS SITTING FEES AND ALLOWANCES

**MINUTE:** 11012

**FILE REFERENCE:** OR.CR.03.00

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

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

**DATE REPORT WRITTEN:** 8 August 2011

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

**PREVIOUS MEETING REFERENCE:** Agenda Item 12.06.36 Ordinary Meeting of Council held 19 June 2007  
Agenda Item 12.05.21 Ordinary Meeting of Council held 20 May 2008  
Agenda Item 21 Ordinary Meeting of Council held 20 July 2011

#### **Summary**

The *Local Government Act 1995* provides for the payment of fees and allowances for elected members. The allowances may be adopted by either a meeting fee or an annual attendance fee within a minimum and maximum range as determined by the Local Government (Administration) Regulations 1996.

Council has requested a review the Elected Members Sitting Fees and Allowances.

#### **Background**

Under the Local Government Act 1995 and Local Government (Administration) Regulations 1996, Council needs to determine, on an annual basis, the fees and allowances paid to Councillors.

At the 20 July 2011 Council Meeting, when considering the 2011/2012 Budget, Council requested a review of Elected Member Sitting Fees & Allowances.

Attached are tables showing Prescribed Limits and a comparison of other Local Governments within Western Australia.

**ATTACHMENT 12.5**

#### **Consultation**

Chief Executive Officer

#### **Statutory Environment**

Sections 5.98, 5.98A and 5.99 of the Local Government Act 1995 applies.

Regulations 30, 33, 33A, and 34 of the Local Government (Administration) Regulations 1996 apply.

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Councillors should note that meetings fees are assessable income for the purposes of assessable income under the Income Tax Assessment Act 1997.

### Policy Implications

There are no Policy implications relative to this issue.

### Financial Implications

Council has allowed for the following in the 2011/12 Budget:

Fee	Budget
<b>Members Attendance Fee S5.99 Admin Reg 34</b>	
President	\$14,000
Councillor (each)	\$7,000
<b>Annual LG Allowance S5.98(5) Admin Reg 33</b>	
President	\$5,000
<b>Annual LG Allowance S5.98A Admin Reg 33A (25% of Presidents)</b>	
Deputy President	\$1,250

Any changes to these fees will affect the Budget.

### Strategic Implications

There are no strategic implications relative to this issue.

### Voting Requirement

Absolute Majority Required

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### Council Decision

**MOVED:** Cr Shields

**SECONDED:** Cr Rumble

That for the 2011/2012 year Council adopts the following:

1. Pursuant to section 5.99 of the *Local Government Act 1995* and regulation 34 of the *Local Government (Administration) Regulations 1996*, Council adopts the following annual fees for payment of elected members in lieu of individual meeting attendance fees:

President	\$14,000
Councillors	\$ 7,000

2. Pursuant to section 5.98(5) of the *Local Government Act 1995* and regulation 33 of the *Local Government (Administration) Regulations 1996*, Council adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:

President	\$10,000
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3. Pursuant to section 5.98A of the *Local Government Act 1995* and regulations 33A of the *Local Government (Administration) Regulations 1996*, Council adopts the following annual local government allowance to be paid in addition of the annual meeting allowance:

Deputy President	\$ 2,500
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4. That the change to Sitting Fees and Allowances be recognised as over budget expenditure.

**CARRIED BY ABSOLUTE MAJORITY 6/2  
CR'S DIAS AND THOMAS VOTED AGAINST THE MOTION**

## MINUTES - ORDINARY MEETING OF COUNCIL 17 AUGUST 2011

### 13. DEVELOPMENT SERVICES REPORTS

#### 13.1 DEVELOPMENT APPROVALS ISSUED UNDER DELEGATION - SHIRE OF ASHBURTON TOWN PLANNING SCHEME NO. 7

**MINUTE:** 11013

**FILE REFERENCE:** PS.TP.07.00

**AUTHOR'S NAME AND POSITION:** Denae French  
Administration Assistant to Building Services

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

**DATE REPORT WRITTEN:** 2 August 2011

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

**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**

One (1) approval has been issued under delegation up until the date of this report. This was for:

Bruce Andrew Thomas	Lot 601 and 602 Burt Close, Onslow	Planning Application - Group Dwellings
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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.

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### 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

### Council Decision

**MOVED: Cr White**

**SECONDED: Cr Corker**

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

**CARRIED 8/0**

## MINUTES - ORDINARY MEETING OF COUNCIL 17 AUGUST 2011

### 13.2 REVISED LOCAL PLANNING POLICY - TRANSIENT WORKFORCE ACCOMMODATION FOR ADOPTION

**MINUTE:** 11018

**FILE REFERENCE:** PS.DV.13.00

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

**NAME OF APPLICANT/RESPONDENT:** Shire of Ashburton

**DATE REPORT WRITTEN:** 8 August 2011

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

**PREVIOUS MEETING REFERENCE:** Agenda Item 13.02.04 Ordinary Meeting of Council 16 February 2011  
Agenda Item 13.10.58 Ordinary Meeting of Council 15 October 2010

#### **Summary**

At the Council Meeting of 16 February 2011, Council resolved to adopt for community consultation, revised "*Local Planning Policy – Transient Workforce Accommodation*".

The revised Policy as published in the Pilbara News (twice) along with notification at the Shire offices and Shire website. No submissions were received.

It is recommended that the revised "*Local Planning Policy – Transient Workforce Accommodation*" be adopted in accordance with the Planning Scheme.

#### **Background**

The current "*Local Planning Policy - Transient Workforce Accommodation*" was originally adopted in 2008 and reviewed in November 2009. The 2009 Policy included the following policy Statement:

*"The Council of the Shire of Ashburton does not support "fly- in, fly-out" mining as Council considers that it leads to a loss of economic and social value to the Shire and the regional area as a whole.*

*The Council does acknowledge that there will be circumstances such as remoteness and limited life of a particular mining or industrial activity that result in a need for Transient Workforce Accommodation camps to be established. This Policy seeks to address the establishment of such camps. It also addresses matters of amenity, both for camp residents and those who live in proximity of such establishments."*



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The Shire presented a *'Position Paper on Fly-In Fly-Out Workforce and Accommodation'* to the Council meeting in October 2010. As an outcome, Council resolved (in part) as follows:

*"That Council:*

2. *Instructs the Chief Executive Officer to:*

a) *Prepare a further Report to Council concerning:*

i) *A revision to the Shire's Local Planning Policy – Transient Workforce Accommodation based on the following 'policy' position:*

*"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:*

- construction workforce; and*
- operational workforce.*

*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.*

*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 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."*

### **Comment**

Council resolved on 16 February 2011 to adopt for community consultation revised *"Local Planning Policy - Transient Workforce Accommodation"* modified in light of Council's resolution from the *'Position Paper on Fly-In Fly-Out Workforce and Accommodation'* in October 2010.

### **ATTACHMENT 13.2**

The revised Policy was advertised for 21 days in accordance with the Shire of Ashburton Local Planning Scheme No. 7 ('Scheme') and no submissions were received during advertising. The matter is referred back to Council for consideration. No submissions were received during advertising.

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It is recommended that the revised “*Local Planning Policy - Transient Workforce Accommodation*” be adopted in accordance with the Planning Scheme.

### **Consultation**

Chief Executive Officer

The public consultation provisions of the Scheme have been observed.

### **Statutory Environment**

Planning and Development Act 2005

Council of Ashburton Town Planning Scheme No. 7

### **Policy Implications**

None anticipated.

### **Financial Implications**

None anticipated.

### **Strategic Implications**

None anticipated.

### **Voting Requirement**

Simple Majority Required.

### **Council Decision**

**MOVED: Cr Corker**

**SECONDED: Cr Shields**

**That Council:**

- 1. Adopt “Local Planning Policy – Transient Workforce Accommodation” as amended (Attachment 13.2) as a Local Planning Policy under the provisions of the Shire of Ashburton Local Planning Scheme No. 7 (‘Scheme’).**
- 2. Give public notice of Council’s decision as is required by the Scheme.**

**CARRIED 8/0**

**Declaration of Financial Interest**

In accordance with Section 5.69 (3) (a) of the Local Government Act Cr Wright, Cr Dias, Cr Rumble and Cr White declared an indirect financial interest in Agenda Item 13.3. The nature of their interest being Cr Wright is an employee of Pilbara Iron or a subsidiary of Rio Tinto Pty Ltd, Cr Dias is an employee of Pilbara Iron or a subsidiary of Rio Tinto Pty Ltd and owns shares in Rio Tinto Pty Ltd, Cr Rumble owns shares in Rio Tinto Pty Ltd and Cr White owns shares in Rio Tinto Pty Ltd.

As there would not be a quorum to vote, approval was sought from the Minister of Local Government to allow disclosing members Cr Wright, Cr Dias, Cr Rumble and Cr White to debate and vote on Agenda Item 13.3. The Minister's written approval for Cr Wright to participate in the discussion and vote in relation to this agenda item was obtained prior to the Council meeting. The approval was granted subject to the following conditions:

1. the approval is only valid for the ordinary meeting of Council to be held on 17 August 2011;
2. Councillor Dennis Wright declares the nature and extent of their interest at the Council meeting when these matters are considered together with the approval provided;
3. the CEO is to provide a copy of the Department's letter advising of the approval to each declaring member; and
4. the CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the meeting when these matters are discussed.

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

**ATTACHMENT 13.3**

Frank Ludovico left the meeting at 4.06 pm.  
Cr's Rumble, White and Dias left the meeting at 4.06 pm.

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### 13.3 PLANNING APPLICATION - TRANSIT LOUNGE AND GYMNASIUM FACILITY LOT 61 ROCKLEA ROAD, PARABURDOO PART LOT 61, ROCKLEA ROAD PARABURDOO

**MINUTE:** 11015

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

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

**NAME OF APPLICANT/RESPONDENT:** TBB Town Planning on behalf of RTIO

**DATE REPORT WRITTEN:** 9 August 2011

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

**PREVIOUS MEETING REFERENCE:** Agenda Item 13.07.54 Ordinary Meeting of Council 20 July 2011

#### **Summary**

A development application has been received for the construction of a communal transit lounge, gymnasium and ablutions facility for RTIO's Rocklea Palms complex, Rocklea Road/Ashburton Avenue, Paraburdo.

The proposed development consists of a single storey 900m<sup>2</sup> communal facility (incorporating a transit lounge, gymnasium, lockers and change rooms, shower and toilet facilities). The lounge is to provide RTIO employees a temporary space between accommodation shifts, and allow the RTIO Facilities Services team to prepare the accommodation units for the alternating shift.

The applicant has advised that the facilities will be available for use by the wider community. Its proximity to the function centre, swimming pool and landscaped gardens, which are visible and accessible from Ashburton Avenue, serves to enhance this communal and civic precinct created within the Rocklea Palms site.

It is recommended that the application be approved, subject to appropriate conditions.

#### **Background**

A development application has been received for the construction of a communal transit lounge, gymnasium and ablutions facility for RTIO's Rocklea Palms complex at Rocklea Road/Ashburton Avenue, Paraburdo.

The proposed development consists of a single storey 900m<sup>2</sup> communal facility (incorporating a transit lounge, gymnasium, lockers and change rooms, shower and toilet facilities). The siting of the new facility adjacent to the existing function centre, administration and mess, and recreational area (including swimming pool and barbecue area) will allow the creation of a community precinct to service the development and broader area.

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The planning consultant on behalf of RTIO advise that the primary purpose of the lounge is to service the additional 84 units (approved by Council) currently under construction, to provide RTIO employees a temporary space between accommodation shifts, and allow the RTIO Facilities Services team to prepare the accommodation units for the alternating shift. Importantly, the Application states:

*“The facilities will be available for use by the wider community, in a similar manner to the existing function centre adjacent to the site. Its proximity to the function centre, swimming pool and landscaped gardens, which are visible and accessible from Ashburton Avenue, serves to enhance this communal and civic precinct created within the Rocklea Palms site.”*

The following reflects the applicant’s key design elements and justification for the proposal:

### *Building design*

The proposed 900m<sup>2</sup> single storey building is a steel framed structure with metal wall cladding and metal deck roofing. A building materials and colours schedule is to be provided at the time of a building licence being submitted, however the applicant advises that the building colours will blend with the natural landscape and the surrounding town using earth brown, vegetation green and other local landscape colours.

### *Car Parking*

The proposed new building will result in a loss of approximately 48 parking bays from the site. The applicant advises that:

*“..... these bays are not presently in use, due to the construction works being undertaken on the north eastern portion of the site and have little impact on the practical availability of parking on the site.*

*As the facility will be accessible to the wider community and therefore serve a civic/community use, it is noted that are parking areas are available on Ashburton Avenue (under both the existing and reconfigured plans) to cater for associated parking. Ongoing monitoring and review of parking on the site will be undertaken by RTIO to ensure appropriate provision of parking during both the construction and operation of the various site development stages.”*

### *Landscaping*

A landscaping plan has been prepared for the subject area surrounding the proposed new communal facility consistent with the existing landscape on the site. The plan proposes the retention of some existing mature vegetation which is significant, complemented by a selection of robust indigenous shrubs. This landscaping will assist the integration of the new development into the site, and complement the surrounds.

### *Lighting*

As part of the development of the communal facility, RTIO will provide necessary security lighting and safe walking paths to link with the existing on-site network. A lighting plan is proposed to be submitted at the time of building licence application.

## **ATTACHMENT 13.3**

### **Comment**

The subject site is partly zoned 'Civic and Commercial' and partly zoned 'Residential R50' under the Shire of Ashburton Local Planning Scheme No. 7 ('Scheme').

'Transient Workforce Accommodation' (TWA) is a discretionary use under the 'Residential' zone, allowing for the Shire to exercise its discretion in granting approval. TWA is not a permissible use under the 'Civic and Commercial' zone. On its own, the proposed communal

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facility could be considered for TWA purposes only and therefore prohibited under the Scheme. However, the application clearly explains that the facility will be available for community use. If this was not the case, the proposal would be prohibited. It is recommended, that should an Approval issue that a condition requiring a written agreement with the Shire and RTIO be required before the issue of a Building Licence that clearly addresses the extent of community access to the community building and gym.

With respect to car parking, submitted plan ref DA-SK-0003 (**ATTACHMENT 13.3**) has three separate references to *'existing carpark to be removed during future site upgrades'*. It is recommended that the removal of these car parks not be supported. This should only occur when specific development proposals are sought and considered by Council. Although alternative parking is shown, there is a clear shortfall with that currently provided. The reference to the removal of parking should therefore be deleted and the applicant advised that the issue of parking will need to be addressed in a holistic fashion for the overall development of the site.

The loss of 48 car spaces is of concern and needs to be addressed in any Planning Approval. In this regard, the Agreement should require the ongoing monitoring and review of parking on the site and that should parking be required by Council, the possible replacement parking be the areas shown on plans (Ashburton Avenue frontage) and constructed at RTIO's cost.

On the basis of the above, it is recommended that planning approval issue subject to matters raised in this report and standard conditions.

### **Consultation**

This application has not been advertised as it is not required under the Scheme.

It is open for Council to advertise any application, however on the basis of the proposal before Council it is not recommended that advertising take place.

### **Statutory Environment**

Shire of Ashburton Local Planning Scheme No 7

### **Policy Implications**

There are no policy implications relative to this issue.

### **Financial Implications**

There are no financial implications relative to this issue.

### **Strategic Implications**

It is noted that at the meeting of Council of Council 20 July 2011 (Agenda Item 13.07.54) that when considering the application for a Local Planning Policy for a concept plan over the 'Rocklea Palms' site, that Council resolved:

1. *Not adopt draft 'Local Planning Policy - "Rocklea Palms, Paraburdoo Concept Plan" as a Local Planning Policy until RTIO, the Department of State Development, Department Regional Development and Lands have meet with the Shire in order to develop a Paraburdoo Townsite Strategy in accordance with the Resolution of Council Item 15.10.20 of 20 October, 2010 to guide future decision making in relation to the town.*
2. *Request the Chief Executive Officer to advise RTIO, the Department of State Development, Department Regional Development and Lands and report the responses back to Council."*

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Clearly the desire of Council is to achieve a strategic planning direction for Paraburdoo in the form of a Townsite Strategy.

It is considered that the approval of the Application before Council will not impede or restrict the establishment of such a policy. Indeed, there is benefit for the community through access to the facility.

### **Voting Requirement**

Simple Majority Required

### **Council Decision**

**MOVED:** Cr Corker

**SECONDED:** Cr Shields

1. **Approve Planning Application from TBB Town Planning for Hamersley Iron Pty Ltd for communal transit lounge, gymnasium and ablutions facility (available to be accessed by the public) at Lot 61, McRae Avenue, Paraburdoo in accordance with the submitted plans be approved, subject to the following conditions:**
  - a. **Prior to the issue of a Building Licence, a legal agreement prepared at the Owner's expense (including legal expenses incurred by the Shire of Ashburton) all to the requirements and satisfaction of the Chief Executive Officer shall be submitted for the purposes of the following:**
    - i) **acknowledging that the community will have access to the community building and gymnasium;**
    - ii) **defining the extent of community access in i) above;**
    - iii) **noting the loss of 48 car spaces associated with the development;**
    - iv) **requiring the ongoing monitoring and review of all parking on the site as a result of the loss of 48 car spaces; and**
    - v) **acknowledging that should Council as a result of the monitoring referred to in iv) above resolve that the parking is deficient, arrangements shall be established for parking to be required generally in the areas shown on submitted plan ref DA-SK-0003 (Ashburton Avenue frontage) and constructed at RTIO's cost.**
  - b. **A building licence for the development should be obtained prior to 17 August 2013. This Planning Approval lapses if a building licence for the development has not been obtained by 17 August 2013. Further to this, if the development is not substantially commenced in accordance with the building licence by 17 August 2013, then this Planning Approval lapses at that date. With the permission of the Shire of Ashburton, this Planning Approval may be extended.**
  - 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.**

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- d. The Development shall comply with the Shire of Ashburton Town Planning Scheme No. 7, the Shire's Local Planning Policy, the Health Act, the Building Code of Australia, the Western Australian Fire Board Regulations and Local Laws.
- e. A landscaping plan must be submitted and approved for the area immediately surrounding the subject buildings and on the boundary prior to the issue of a Building Licence or any works commencing. For the purpose of these conditions a detailed landscaping plan shall show the following:
  - i) the location and type of proposed trees and shrubs;
  - ii) any lawns to be established;
  - iii) those areas to be reticulated or irrigated.
- f. The landscaping and those areas to be reticulated or irrigated landscaping area shall be installed within thirteen (13) weeks of the use commencing or occupation of the development, and shall be maintained thereafter by the owner/occupier to the satisfaction of the Shire.

### Advice

- 1) 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.
- 2) 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.
- 3) Please note for future reference that levels, contours, drainage and sewer lines, etc must be shown on development plans to ensure a proper assessment can be made. Failure to provide this information may require design changes at the building licence stage, resulting in possible delays and inconvenience.
- 4) 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).
- 5) The Shire of Ashburton contains many places of Aboriginal Heritage significance. Proponents are advised to consider Aboriginal heritage 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 website <http://www.dia.wa.gov.au/Heritage/default.aspx>.

CARRIED 5/0



**14. WESTERN OPERATIONS REPORTS**

No agenda items were received from Western Operations.

Cr's Rumble, White and Dias re-entered the meeting at 4.07 pm.

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

**Council Decision**

**MOVED: Cr Shields SECONDED: Cr Corker**

**That Council considers the following late Agenda Item:**

**15.1 MACEDON GAS DEVELOPMENT PROJECT PLANNING APPROVAL 20101070 – REQUEST BY BHPB TO MODIFY ENDORSED PLANS ASSOCIATED WITH THE CONSTRUCTION OF THE ‘MACEDON/ANSIA’ ROAD**

**CARRIED 8/0**

**Declaration of Interest**

**Prior to consideration of this Agenda Item Cr Dias and Cr White declared an interest in Agenda Item 15.1 in accordance with Section 5.60A of the Local Government Act. The interest being that Cr Dias & Cr White are shareholders in BHPB.**

Cr's White and Dias left the meeting at 4.08 pm.

**Council Decision**

**MOVED: Cr Corker SECONDED: Cr Shields**

**That Council allow Cr Dias and Cr White to participate in the discussion but not vote on Agenda Item 15.1.**

**CARRIED 6/0**

Cr's White and Dias re-entered the meeting at 4.10 pm.  
Frank Ludovico re-entered the meeting at 4.11 pm.

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### 15.1 MACEDON GAS DEVELOPMENT PROJECT PLANNING APPROVAL 20101070 - REQUEST BY BHPB TO MODIFY ENDORSED PLANS ASSOCIATED WITH THE CONSTRUCTION OF THE 'MACEDON/ANSIA' ROAD

**MINUTE:** 11016

**FILE REFERENCE:** RD.OG.2.7

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

**NAME OF APPLICANT/  
RESPONDENT:** Shire of Ashburton

**DATE REPORT WRITTEN:** 12 August 2011

**DISCLOSURE OF FINANCIAL INTEREST:** The author has no financial interest in this matter however his private superannuation fund holds 418 shares in BHPB.

**PREVIOUS MEETING REFERENCE:** Agenda Item 9.08.01 Special Meeting of Council 4 August 2010  
Agenda Item 13.07.37 Ordinary Meeting of Council 17 July 2010

#### **Summary**

At the Special Meeting of Council on 4 August 2010, Council resolved to conditionally support planning approvals for the BHPB Macedon domestic gas plant, transient workforce accommodation, Macedon Access road and gas pipeline.

BHPB advise that the Macedon Access road is now intended to eventually become the future access to the Ashburton North Strategic Industrial Area (ANSIA) and has sought council approval to increase the level of serviceability for the road from the Macedon fit for purpose level of 5 years to a 20 year serviceability level. This is undertaken as an endorsement of plans to the Planning Approval.

BHPB has provided advice from the Department of State Development, LandCorp, Main Roads WA and the Department of Water that indicates no opposition to the improved serviceability of the proposed road. Similarly, no objection in principle to the improved serviceability is offered by the Shire. However concern is raised with respect to the need to upgrade Onslow Road to take into account an anticipated 3,600 triple road train movements needed for the construction of the upgraded Macedon Access road.

Accordingly it is recommended that Council support for BHPB's upgraded Macedon Access road subject to BHPB submitting a traffic management plan along with a commitment from BHPB that it will not use Onslow Road for triple road train haulage associated with the development of Macedon Access/ANSIA road until the seal and intersection improvements for Onslow Road as outlined in this Report are established.

#### **Background**

At the Special Meeting of Council on 4 August 2010, Council resolved to conditionally support planning approvals for the BHPB Macedon domestic gas plant, transient workforce

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accommodation and access road (Shire Ref: 20101070) along with an Application for a gas pipeline from the plant to the Dampier to Bunbury Natural Gas Pipeline (Shire Ref: 20101071). The Council resolution delegated the issue of approval to the CEO once the environmental approvals had been determined. Planning Approvals were issued in October 2010.

In relation to the construction of the Macedon Access road, condition 1 of Shire Ref: 20101070 Approval stated:

*"1. Prior to the commencement of any road works, information is to be submitted by the Applicant showing the proposed private road connection from the facility to the Onslow Road to be constructed essentially at grade, with the purpose of limiting any build up of flood waters that may affect the Onslow Road and nearby salt operations, all to the requirements and satisfaction of the Shire of Ashburton. The Shire may permit the construction of an alternative road design subject to specific conditions as provided for in this Planning Approval."*

In 'clearing' the Planning Approval conditions, BHPB advised the Shire that the Macedon Access road would be designed and constructed on a fit for purpose serviceability level of 5 years. Fill and aggregate was to be sourced from within the site therefore limiting the need to access Onslow Road using triple road trains. This was acceptable to the Shire and 'clearance' for BHPB to proceed was provided.

### **Proposal**

By letter dated 18 July 2011, BHPB requested Council to agree to endorse plans associated with Planning Approval road (Shire Ref: 20101070) for the development of the Macedon Access/ANSIA road.

### **ATTACHMENT 15.1**

By Email received on 2 August 2011, BHPB staff advised that the revised traffic volumes that incorporate additional imported fill for the Macedon Access Road have been referred to the Regional manager MRWA who have raised no concerns with our numbers.

*"Some important things to note are:*

*Macedon Peak traffic occurs during 2011. In 2012 the traffic volumes will reduce significantly.*

*The road contractor BGC has stated that the base course will not be transported down Twitchen and old Onslow road. They intend to create a stockpile at CHO near Onslow road and use the Macedon Road easement to transport base course up the alignment. This removes interface between road trains and other traffic on Shire roads.*

*We trust that this information is sufficient and that we can resolve any outstanding issues promptly."*

By Email to the Shire (Thu 11/08/2011 5:11 pm), a BHPB representative advised (in part) that:

*"To confirm for the upgrade scope it is expected that 1800 triples in are required over three months (1800 in 1800 out). These trucks do not need to enter Onslow and only an unplanned situation would require assistance from Onslow township.*

*The material will be stockpiled within the Macedon Road easement near the current water bore area.*

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*The BGC TMP stipulates that the drivers will operate 1 load per day between 0700 to 1800. No offloading can occur at site outside daylight hours. As they are return trips from Karratha they will not be arriving at Onslow at night. The drivers do not need accommodation at our site or in Onslow as they will return to Karratha after each delivery.*

*The revised traffic numbers are attached. As the discussion is about the road numbers I have attached the BGC Traffic management Plan for the current road scope. This has been endorsed by MRWA. Upon acceptance of the upgrade scope this TMP will be updated however the only changes would be to the quantity and duration of the haulage”.*

BHPB has provided the traffic numbers that indicate the level of activity for defined roads (noting that table 'NWCH/Onslow Road' are one-way trips only) and a revised Traffic Management Plan.

### ATTACHMENT 15.1 ATTACHMENT 15.1

Information supplied by BHPB indicates that approximately 3600 triple road train movements for Onslow Road over three months dedicated to the cartage of fill and base course to the site. The revised Traffic Management Plan provided by BHPB states:

*“The project involves the transport of approximately 82,500 tonnes of bulk rock fill material from K Bed Quarry located off King Bay Road, Burrup to a construction site south of the Onslow town site approximately 350 kilometres to the south of the quarry.*

*The haulage operations between the quarry and fill site will be carried out in a continuous operation. The haulage operations will be undertaken out of peak hours for the Dampier Highway section when impacts on traffic flows will be reduced.*

*The proposed operation includes the use of a minimum of 20 triple road trains undertaking 1 trip each per day, Monday to Saturday over a two month period commencing in August 2011”. (Page 9)*

### **Main Roads WA comments**

By letter dated 10 August 2011 to BHPB, the Regional Manager for MRWA has advised the following:

*“.... Main Roads has reviewed the original road design provided for the Macedon Gas Development and is currently reviewing the upgraded road design to meet the requirements of the Chevron Wheatstone project. To date, all design issues raised have been agreed and the final design is expected to be signed off by the end of August 2011.*

*Main Roads is satisfied that the information provided by BHP Billiton and their design consultants addresses our concerns raised in Planning Approval 20101070 including the design criteria and hydrology for the upgraded road design.*

*In respect to traffic movements on Onslow Rd, I understand that the base course for the Macedon road will be brought from Karratha and will add approximately 600 (return trip) road trains per month for three months.*

*At present Onslow Rd is substandard and is a safety risk to all road users. Main Roads is currently negotiating with Chevron to fund the upgrades outlined in the correspondence of 2 August 2011.*

*Once negotiations are complete Main Roads then will need to obtain approval to engage a contractor to construct the works prior to December 2011, although I acknowledge that*

## MINUTES - ORDINARY MEETING OF COUNCIL 17 AUGUST 2011

*the four passing lanes may go into early 2012 and other factors such as Cyclones may impact on the timeline. Main Roads has committed to have all the works completed by March 2012.*

*Main Roads has considered the increased traffic movements on Onslow Rd and I am confident that the improvements been considered will go a long way in mitigating the impact of the Macedon traffic and further truck movements proposed by other proponents.*

*In respect to the traffic movements on Twitchen Road and Onslow Rd outlined in the correspondence of 2 August, BHP Billiton will need to respond to the Shire of Ashburton of the issues presented, but I confirm that Main Roads will assist both parties to ensure the outcomes meet the needs of the road user."*

Importantly, MRWA note that in its current form, Onslow Rd "...is substandard and is a safety risk to all road users". In addition, the actual numbers referred to in the MRWA correspondence ("...approximately 600 (return trip) ..) is different to that advised by BHPB ("...1800 triples in are required over three months (1800 in 1800 out). In addition, the advice from MRWA is not clear in stating what the specific road upgrade requirements are required for the construction of the Macedon Access/ANSIA road.

### ATTACHMENT 15.1

#### Comment

The detailed design plans for the Macedon Access/ANSIA road provided by BHPB have been reviewed by the Shire and compared with the original application (Shire Ref: 20101070) and the plans lodged on behalf of BHPB with the Shire. The result of this assessment is that the proposal to upgrade the Macedon Access road to the ANSIA road will need to address the impacts from construction of the road on Onslow Road, Twitchen Road and Old Onslow Road.

The proposal, as generally outlined by BHPB represents the development of the main road for the ANSIA and this has major implications for the safety and carrying capacity of Onslow Road, Twitchen Road and/or Old Onslow Road. The Shire has serious concerns for the safety of all road users given the likely increase in the volume and type of traffic (triple road trains) during construction and the insufficient standard of Onslow Road (which for much of the route has a pavement width of 6.2m) to accommodate these changes.

The Traffic Management Plan provided by BHPB as part of the original application (Shire Ref: 20101070) and for the clearance of the conditions of Planning Approval is insufficient in its consideration of the impacts from construction traffic associated with the Macedon Access/ANSIA development.

There is a discrepancy with the advice provided in the revised Traffic Management Plan with respect to the period of haulage. The revised Traffic Management Plan suggests it is for two month period, however the tables provided by BHPB shows it is a three month period. Should it be a two month period, the impacts on road users would be far greater.

Assuming it is a three month period of haulage and it involves "...a minimum of 20 triple road trains undertaking 1 trip each per day..." (as advised in the revised BHPB Traffic Management Plan), this mathematically equates to a minimum 40 heavy haulage movements per 11 hour day or approximately one movement every 15 minutes (potentially three oncoming triple road trains between Macedon and the North West Coastal Highway (NWCH) every 45 minutes).

However, the reality of the haulage operation is that there will certainly be a far greater intensive use of Onslow Road and impact on other road users over a 4-6 hour period during the six day

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haulage period, than expressed in the revised Traffic Management Plan. The revised Traffic Management Plan acknowledges that:

*“The haulage operations will be undertaken between 0700hrs and 1800hrs Monday to Saturday. The haulage operation will be completed using a minimum of 20 triple road trains undertaking one trip per day.” (Page 18)*

Assuming loaded vehicles leave Karratha at 7am, the first triple road train will reach Onslow Road around 10am and be at the site by 11am (say around a four hour single trip). Based on the BHPB advice that no offloading is to occur at site outside daylight hours and that haulage operations will be undertaken between 7am and 6pm (revised Traffic Management Plan), the 20 predicted triple road trains will need to be back in Karratha, generally before dusk. To achieve this, the heavy haulage vehicles will need to leave the site before 2.30pm.

Accordingly, the intensity of road usage is more likely to be around 3.5 hours – or one triple road train movement every 10 minutes (potentially five oncoming triple road trains between Macedon and the North West Coastal Highway (NWCH) every 10 minutes).

Onslow Road is a currently a ‘RAV 9 link’ meaning that it is already part of the state road network for a prime mover and 2 dog trailers without permit. However, it is unlikely that Onslow Road with a majority of seal width of 6.2m was ever meant to carry the level of traffic as associated with the Macedon Access/ANSIA road construction.

The Shire has advised BHPB that to consider its request, a comprehensive traffic impact assessment is required, addressing the impacts on Onslow Road, Old Onslow Road and Twitchen Road, including anticipated traffic volumes, vehicle size (i.e. large haulage/freight vehicles) and the timing of peak traffic and duration of traffic during both the construction and operational phase of the development. Importantly, the traffic impact assessment will need to comprehensively consider the fill and aggregate capacities for the construction of the road, along with comparative heavy haulage movements associated with the construction of the Macedon Access/ANSIA road.

The revised Traffic Management Plan provided by BHPB makes no mention of the necessary upgrades required to make Onslow Road. In particular, Section “4 Hazard identification and risk assessment” and the ‘Risk Register’ of the revised Traffic Management Plan even fails to mention that the seal width of Onslow Road is only 6.2m! Given the MRWA comment that in its current form, Onslow Rd “...is substandard and is a safety risk to all road users the usefulness of the revised Traffic Management Plan provided by BHPB is clearly limited.

The Shire/Council takes the safety of road users on Onslow Road very seriously and accordingly, a traffic impact assessment that highlights and addresses the impacts of 1800 triple road trains on Onslow Road for the period must be undertaken before commencement of haulage. Based on discussions with MRWA and the requirements of the draft ANSIA Structure Plan, the Shire considers that the following minimum modifications/upgrades are required to ensure Onslow Road can be used safely by all road users during the construction phase of the Macedon Access/ANSIA road:

- Traffic management plan that details the upgrade and rehabilitation of Onslow Road prior to construction;
- A minimum of two (2) passing lanes in both directions of Onslow Rd between North West Coastal Highway (NWCH) and the proposed ANSIA intersection. Nominally these will be placed at approximately 15 straight line kilometres (SLK) and 41 SLK from the NWCH intersection;
- Existing 6.2 m seal upgraded with 1m sealed shoulders, with some unsealed shoulder;

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- Shoulders of both sides of Onslow Rd rehabilitated (stiffened, repaired or select replacement) and sealed to reduce the wear on the soft shoulders and increase lane width;
- Upgrade the NWCH/Onslow Rd intersection;
- Some sections of pavement is likely to require overlay;
- Centre and edge lines to be applied. Edge posts and additional signage;
- Select Intersection improvements including intersection lighting;
- Select culvert drainage replacements from NWCH to Macedon Access/ANSIA road intersections; and
- A flexible MRWA maintenance schedule will need to be established to ensure the road condition is safe for all road users during construction.

### Conclusions

The development of the Macedon Access/ANSIA road in a joint arrangement with BHPB / Chevron is supported in principle by the Shire. However, the issue of road safety for Onslow Road, Old Onslow Road and Twitchen Road is a matter of a priority for the Shire.

It is appropriate for Council to advise BHPB that for the amended plans associated with the development of the Macedon Access/ANSIA road, Onslow Road must be upgraded as outlined in this Report, prior to heavy haulage for the construction of the Macedon Access/ANSIA road.

### Consultation

Chief Executive Officer  
Executive Manager, Engineering Services  
Regional Manager, Main Roads WA

### Statutory Environment

Planning and Development Act 2005

### Policy Implications

The policy implications relate to a uniform treatment of all proponents associated with the development of the ANSIA and in particular the Macedon Access/ANSIA road.

### Financial Implications

There are no financial implications relative to this matter.

### 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

### Further Shire Comment

Since the preparation of the Late Agenda Item, the Shire has received further correspondence from Main Roads WA (MRWA) and BHP Billiton (BHPB) seeking to address the issues raised in the Shire's Late Agenda Item. The correspondence is included as Attachment 4 (MRWA) and Attachment 5 (BHPB).



## MINUTES - ORDINARY MEETING OF COUNCIL 17 AUGUST 2011

Should Councillors wish to support the endorsement of the plans associated with Planning Approval (Shire Ref: 20101070), based on the advice in further correspondence from MRWA and BHPB, the following may be of assistance in formulating a decision:

That Council:

1. Supports in principle the development of the Macedon Access/ Ashburton North Strategic Industrial Area (ANSIA) road and acknowledges that the responsible authority for Onslow Road (from the North West Central Highway to Beadon Creek Road) is Main Roads WA (MRWA).
2. Notes the advice from MRWA in correspondence to BHP Billiton (BHPB) dated 10 August 2011 that at "...*present Onslow Rd is substandard and is a safety risk to all road users*".
3. Notes the advice from MRWA provided to the Shire in relation to the draft ANSIA Structure Plan whereby to ensure a safe, reliable and efficient road transport solution during the construction and operation phase of the ANSIA, the following minimum modifications/upgrades required by MRWA for Onslow Road is as follows:
  - a minimum of two (2) passing lanes in both directions of Onslow Road between North West Coastal Highway (NWCH) and the proposed ANSIA intersection. Nominally these will be placed at approximately 15 straight line kilometres (SLK) and 41 SLK from the NWCH intersection;
  - existing 6.2 m seal upgraded with 1m sealed shoulders, with some unsealed shoulder;
  - shoulders of both sides of Onslow Road rehabilitated (stiffened, repaired or select replacement) and sealed to reduce the wear on the soft shoulders and increase lane width;
  - upgrade the NWCH/Onslow Road intersection;
  - some sections of pavement is likely to require overlay;
  - centre and edge lines to be applied.
  - edge posts and additional signage;
  - select Intersection improvements including intersection lighting;
  - select culvert drainage replacements from NWCH to Macedon access/ANSIA road intersections; and
  - flexible MRWA maintenance schedule will need to be established to ensure the road condition is safe for all road users during construction.
4. Notes the further written correspondence from Mr Peter Sewell from MRWA (Attachment 4) where MRWA (in part) advises:

*"A meeting was held on 15 August 2011 between representatives from DSD, BHPB, Chevron and MRWA to discuss the situation with Onslow Road and agree on a consolidated approach to guarantee safe operation for all users of Onslow Road while meeting the project timeframes for the Macedon and Wheatstone projects.*

*MRWA fully supports the upgrade of the ANSIA road by BHPB and advises the Shire that safety of Onslow Road can be maintained during the upgrade of the ANSIA road by immediately making the following improvements:*

- *Reducing the speed limit of trucks from 100km/h to 90km/h;*
- *Installing line marking in the centre of the road to clearly mark the two lanes; and*
- *Installing large advisory signing reinforcing the reduced speed limit for road trains.*

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*In addition, MRWA, Chevron and DSD have been working to finalise the agreement for the upgrade of the Onslow Road prior to the commencement of construction of the Wheatstone project. Chevron has advised that it is close to signing a contract with MRWA and this will enable improvement works to start with the upgrade as early as possible in order to have all works completed in early 2012. Once the upgrade of Onslow Road starts, appropriate traffic management controls will be in place, further enhancing safety for road users."*

*".... the mitigation initiatives outlined in this letter appropriately address all the issues of safety raised by the Shire in relation to the planned work by BHPB. Consequently, MRWA is of the view that it is not appropriate for the Shire to require that upgrades to Onslow Road be undertaken prior to haulage associated with the BHPB upgrade of the ANSIA road."*

5. Notes further written correspondence from Mr Garry Walker from BHPB (Attachment 5) where BHPB advise (in part):

*".....we acknowledge the concerns raised by the Shire, and have met with MRWA, Chevron and DSD to address these concerns namely the impact the upgrade to the Macedon road will have on Onslow Road and the safety of road users.*

*MRWA has addressed these concerns in a letter to the Shire today. BHP Billiton Petroleum is committed to zero harm and is working to ensure users of Onslow Road are safe during the construction of the Macedon Project.*

*As indicated by MRWA, we are working with them on a number of safety initiatives including reducing the speed of heavy haulage vehicles associated with the project on Onslow Road, increased signage and centreline marking of Onslow Road."*

*".....we are prepared to look at a staged approach to the construction programme of the upgraded road, by incorporating the hydrological improvements i.e. larger culverts, but delaying the additional basecourse thickness required for the Macedon Road upgrade until Onslow Road is upgraded by MRWA. We are confident that this would mitigate the Shire's and community's concerns regarding the impact on Onslow Road and the safety of all road users. In addition, we will continue to assist MRWA in the acceleration of Onslow Road upgrades"*

6. Based on the advice provided by MRWA and BHPB in Attachments 4 and 5 (as reflected in Parts 4. and 5. above), Council endorse plans associated with the development of the Macedon Access/ANSIA road as part of Planning Approval (Shire Ref: 20101070), with all conditions of that Approval remaining in force.
7. The Chief Executive Officer be requested to advise BHPB that the decision to approve the endorse plans associated Planning Approval (Shire Ref: 20101070) was partly based on the advice from BHPB of 16 August 2011 that:

*".....we are prepared to look at a staged approach to the construction programme of the upgraded road, by incorporating the hydrological improvements i.e. larger culverts, but delaying the additional basecourse thickness required for the Macedon Road upgrade until Onslow Road is upgraded by MRWA."*

On this basis, Council seeks:

- confirmation from BHPB that the staged approach as referred in BHPB's 16 August 2011 will be undertaken; and

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- further advice from BHPB as to the expected number of triple road trains that will now use Onslow Road prior to applying the additional basecourse thickness associated with development of the Macedon Access/ANSIA road.
8. The Chief Executive Officer be requested to advise MRWA that the decision to approve the endorse plans associated Planning Approval (Shire Ref: 20101070) was partly based on the advice from MRWA that:

*“MRWA is of the view that it is not appropriate for the Shire to require that upgrades to Onslow Road be undertaken prior to haulage associated with the BHPB upgrade of the ANSIA road.”*

9. The Chief Executive Officer be requested to advise BHPB, MRWA, the Department of State Development, LandCorp and Department of Water that although it has endorsed the plans for the Macedon Access/ANSIA road, it still considers that the upgrade of Onslow Road as provided in 3. above should be undertaken for road safety reasons, prior to commencement of heavy haulage.

### Council Decision

**MOVED:** Cr Shields

**SECONDED:** Cr Corker

#### That Council:

1. Supports in principle the development of the Macedon Access/ Ashburton North Strategic Industrial Area (ANSIA) road and acknowledges that the responsible authority for Onslow Road (from the North West Central Highway to Beadon Creek Road) is Main Roads WA (MRWA).
2. Notes the advice from MRWA in correspondence to BHP Billiton (BHPB) dated 10 August 2011 that at *“...present Onslow Rd is substandard and is a safety risk to all road users”*.
3. Notes the advice from MRWA provided to the Shire in relation to the draft ANSIA Structure Plan whereby to ensure a safe, reliable and efficient road transport solution during the construction and operation phase of the ANSIA, the following minimum modifications/upgrades are required by MRWA for Onslow Road is as follows:
  - a minimum of two (2) passing lanes in both directions of Onslow Road between North West Coastal Highway (NWCH) and the proposed ANSIA intersection. Nominally these will be placed at approximately 15 straight line kilometres (SLK) and 41 SLK from the NWCH intersection;
  - existing 6.2 m seal upgraded with 1m sealed shoulders, with some unsealed shoulder;
  - shoulders of both sides of Onslow Road rehabilitated (stiffened, repaired or select replacement) and sealed to reduce the wear on the soft shoulders and increase lane width;
  - upgrade the NWCH/Onslow Road intersection;
  - some sections of pavement is likely to require overlay;
  - centre and edge lines to be applied.
  - edge posts and additional signage;
  - select Intersection improvements including intersection lighting;

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- select culvert drainage replacements from NWCH to Macedon access/ANSIA road intersections; and
  - flexible MRWA maintenance schedule will need to be established to ensure the road condition is safe for all road users during construction.
4. Notes the representation from Mr Peter Sewell from MRWA and Mr Steve Jeffcote from BHPB to the Council meeting where they advised Council that to cater for the construction and development of the Macedon Access/ANSIA road where in at least 1,800 triple road trains (3,600 movements) will use Onslow Road over a three (3) month period between 7am – 6pm Monday to Saturday, MRWA intends to require the following to improve safety on Onslow Road:
- central line marking will be installed on Onslow Road;
  - triple road train speed will be limited to 90kmph; and
  - signage advising motorists of the presence of road trains to be installed at the NWCH/Onslow Road intersection and at the proposed Macedon Access/ANSIA road/Onslow Road intersection;
5. Based on the advice provided by MRWA and BHPB in 4. above, Council endorse plans associated with the development of the Macedon Access/ANSIA road as part of Planning Approval (Shire Ref: 20101070), with all conditions of that Approval remaining in force.
6. The Chief Executive Officer be requested to advise BHPB, MRWA, the Department of State Development, LandCorp and Department of Water that although it has endorsed the plans for the Macedon Access/ANSIA road, it considers that the upgrade of Onslow Road as provided 3. above should be undertaken for road safety reasons, prior to commencement of heavy haulage.

CARRIED 6/0

## 16. 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.*

**17. COUNCILLOR AGENDA ITEMS**

No Councillor agenda items were received.

**18. NEXT MEETING**

The next Ordinary Meeting of Council will be held on 21 September 2011, at the RM Forrest Memorial Hall, Second Avenue, Onslow commencing at 3.00 pm.

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

*“When Sandra and I moved to Tom Price in 1999 to assume ownership of Muzzy’s Mitre 10 Hardware Store, we quickly realised the importance of working in partnership with the community. Because of this, Muzzy’s soon become renowned for its sponsorships and community support.*

*In 2002 our Mitre10 store was destroyed by fire. Both Sandra and I were astounded by the support shown by the Tom Price community. People rallied together to lend a hand - helping us to restore the business on a temporary site only weeks after the devastating fire. This event confirmed my desire to become a community leader, as I wanted to give something back. I lost my first election, but in 2003 I was elected as the 13th Shire President, only to lose it in 2005. My hunger and passion never diminished during these ups and downs and I was again elected as the Shire President in October 2009.*

*I never wavered in my belief that I could make a difference because I never viewed the Shire of Ashburton as a money pit for hungry miners. I saw an entirely different picture. Sure, the resource sector is pivotal to our wellbeing, but a community’s wellbeing depends on how well it embraces the opportunities presented by resource wealth. I noted every opportunity that arose and expressed my vision for the Shire - in particular Tom Price.*

*I always saw Tom Price as a town with a mine rather than a mining town. I once announced this viewpoint during a public forum and somebody got up and said, “You idiot, go outside and look beyond Nameless and you will see a bloody big mine”. My response was “Yes, you are right, but in front I see a town called Tom Price and in the background I see a mine”. No matter where I was or what I was doing I never shifted from this opinion. And I never will.*

*I know some of you have been uneasy about my leadership style. I have never allowed outside opinions to affect my motivation and relentless drive to ensure the Shire of Ashburton was a better place to live. My goal was always about making sure the Shire got what it deserved and it was about development, investment, sustainability and community happiness. It was that simple!*

*Over the last two years I’ve seen some amazing changes. The most prominent of these has been a shift from a do nothing, go nowhere attitude within the Shire to a more positive outlook and a \$100m budget. The most rewarding aspect for me is that I’ve witnessed the beginning of the transformation of Tom Price and Onslow into two of Western Australia’s most important towns. This cannot change now that it’s set in concrete.*

## MINUTES - ORDINARY MEETING OF COUNCIL 17 AUGUST 2011

*Make no mistake about it; in future the Shire will see an evolving approach to leadership and local government. The role of the President is integral to this and great attention must be applied to selecting the right Councillor to undertake the President's role. The role is about more than chairing meetings; you have to be accessible, willing to travel and able to take on the best of them. Above all, the President must be prepared to get their hands dirty to get things done. The days of being a token President by attending meetings are well and truly gone.*

*Our respective communities are crying out for a greater contribution from Councillors. It's not enough to simply rock up to meetings. The role of Councillor is to be active, accessible and Shire focused. Candidates need to show that they can be dynamic and hard-working.*

*While the Shire of Ashburton is bounding ahead at great pace, its momentum will be stalled if future leadership is sluggish, reactive and disruptive. From this point forward, leaders should be chosen according to their abilities, not to protect someone's patch or out of an inability to challenge the status quo. The Shire's wellbeing depends on real reform.*

*Given what Colin Barnett announced during the recent WALGA conference, I urge the Shire to also analyse the structure of its Wards and the number of elected councillors. I'm a strong believer in being on the front foot and if we don't seriously look at our Ward structure right now somebody else will do it for us. Onslow will eventually be the fifth largest town in the Pilbara. Why would we maintain Wards elsewhere without at least discussing the possibility of a new Ward for Onslow?*

*What is my announcement about and why the necessity for me to make it now? Councillors, this meeting is my last. I will be resigning as a Councillor and, of course, Shire President. In a few weeks time I will be leaving the Shire to take up residence in South Australia. I have a few oceans to swim and mountains to climb and look forward to an exciting and adventurous future.*

*Be that as it may, I'm leaving right in the middle of changes that will make history. I must admit a degree of sadness at this but I do know the Shire of Ashburton is undergoing a massive reform process that will allow it to continue to grow and improve. Under the leadership of Jeff Breen the Shire will move towards operating like a sustainable business – maximizing opportunities rather than getting bogged down in 'roads, rates and rubbish'.*

*Before I wrap up I would like to extend my appreciation to Jeff for the way he embraced my leadership style and energy, even though from time to time he had to throw the odd anchor out to slow me down.*

*Behind any great organisation is a great team so I would also like to express appreciation to all of those who work tirelessly to provide the facilities and services across our great Shire.*

*Finally I would like to thank my Councillors for their support and feedback; we made a great team with diverse views and contributions.*

*Thank you and I wish you all the very best."*

## **MINUTES - ORDINARY MEETING OF COUNCIL 17 AUGUST 2011**

Geoff Brayford, Frank Ludovico, Heather Patmore, Janyce Smith and Rob Paul left the meeting at 4.30 pm.

Geoff Brayford, Frank Ludovico, Heather Patmore, Janyce Smith and Rob Paul re-entered the meeting at 4.44 pm.

### **19. CLOSURE OF MEETING**

The Shire President declared the meeting closed at 4.44 pm.