



SHIRE OF ASHBURTON

ORDINARY COUNCIL MEETING

MINUTES

Barry Lang Centre
PANNAWONICA

17 November 2010

SHIRE OF ASHBURTON
ORDINARY COUNCIL MEETING

Dear Councillor

Notice is hereby given that an Ordinary Meeting of the Council of the Shire of Ashburton will be held on Wednesday 17 November 2010 at the Barry Lang Centre, Pannawonica commencing at 8.00am.

The business to be transacted is shown in the Agenda.

Keith Pearson
CHIEF EXECUTIVE OFFICER

10 November 2010

DISCLAIMER

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

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1.11.0 DECLARATION OF OPENING

The Shire President declared the meeting open at 8.00 am.

2.11.0 ANNOUNCEMENT OF VISITORS

The Shire President welcomed Matt Bird from RBA Consulting, Rob Paull, Principal Town Planner, Shire of Ashburton and members of the public (Pearse Herbert and Ann Eyre) to the public gallery.

3.11.0 ATTENDANCE

3.11.01 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 T Bloem	Tom Price Ward
Cr L Corker	Ashburton Ward
Cr S Dann	Pannawonica Ward
Mr J Breen	A/Chief Executive Officer
Mr L Softley	Executive Manager Community & Economic Services
Mr F Ludovico	Executive Manager Corporate Services
Ms A O'Halloran	Executive Manager Western Operations
Ms J Smith	Executive Assistant CEO

3.11.02 APOLOGIES

3.11.03 APPROVED LEAVE OF ABSENCE

4.11.0 PUBLIC QUESTION TIME

4.11.01 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the Ordinary meeting of Council held on 20 October 2010, the following questions were taken on notice.

Cr White tabled the following questions. The questions were taken on notice and the following responses are tendered.

Q1. When did Council pass extensions to the Onslow Cemetery? What are the dimensions of the extensions?

The cemetery expansion has been endorsed by Council in the last 3 budgets.

The existing cemetery was poorly laid out and consistently had problems with flooding of the graves. This was unacceptable to the indigenous culture. The expansion ensures that the grave depth of 1.8 metres is above the water table.

Dimensions haven't been specified.

ATTACHMENT 4.11.01

Q2. Why didn't Council tender the removal of the sand in the new extension?

A local contractor was engaged to carry out the required work of extending the cemetery under current contractual conditions. The contractor has an hourly rate contract with Council and as such there was no requirement for a separate tender process.

Subsequently an Onslow resident offered to remove the sand and rehabilitate the site at no cost to Council. This provided a significant saving to Council and allowed for a greater expansion than was affordable in the budget.

As an example the initial contractor removed approximately 1200m³ costing around \$10,000. Therefore, the cost of removal of the full 40,000m³ would have been \$320,000 (conservatively). The budget allowance for the earthworks was \$20,000.

The works have allowed for the expansion of the site to cater for residents well into the future in an orderly manner.

Q3. Are any other developers allowed to enter into agreements with the Shire to remove the dirt for free? Please note I have had lots of complaints as 2 trucks are operating 6 days a week within a 25 minute turn around stopping for 1 hour lunch since August.

To my knowledge no other developers requested to be involved in this project. At all times the aim was to minimise the cost to the Shire to carry out this essential work.

Q4. When did Council approve construction of a haul road?

The haul road is a temporary operational measure to prevent any damage to the newly sealed Onslow Cemetery access road and will be rehabilitated once the hauling is completed.

Q5. Was the removal of dirt for the cemetery extensions by tender or some other contract could Council provide us with a copy? We need to see consultants report relating to how much sand to be removed and the EPA report.

See Questions 2 & 3. A clearing permit was obtained prior to commencement of work.

How much sand has been removed and who is supervising what is happening?

Approximately 40,000 m³ has been removed. The work is being overseen by the Road Maintenance Supervisor, Allan Monson.
Sand removal is complete and now the batters will be stabilised.

The report should tell us what the Water Department is in the new part of the cemetery?

The Administration is not able to specifically identify the depth to the water table in the cemetery extension. It is, however, significantly greater than in the existing cemetery.

4.11.02 PUBLIC QUESTION TIME

4.11.02.01 Pearse Herbert tabled the following questions. The questions were taken on notice and a written response will be prepared.

Q1. Why does the Shire of Ashburton support the extension of Third Avenue for the construction of a legal access track to the Water Corporations Reserve 32702 as against considering extending Second Avenue as attached. (Note: This attachment is the attachment contained in Agenda Item 10.11.26)

Q2. Has the Shire of Ashburton consulted with the landowners along Third Avenue regarding the extension of Third Avenue as shown on the attachment. (Note: This attachment is the attachment contained in Agenda Item 10.11.26)

Q3. Can the Shire of Ashburton see fit to discuss with affected locals the option of extending Second Avenue before Council votes on the recommendation per item of 10.11.26 of today's agenda.

4.11.02.02 Cr White tabled the following question. The question was taken on notice and a written response will be prepared.

Q1. Does the Shire have a policy on public consultation?

5.11.0 APPLICATIONS FOR LEAVE OF ABSENCE

Council Decision

MOVED: Cr Shields

SECONDED: Cr Dann

That Council accept the Leave of Absence for Cr Bloem for the Ordinary Meeting of Council on 15 December 2010.

CARRIED 9/0

6.11.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

6.11.01 PETITIONS

There were no petitions presented to Council.

6.11.02 DEPUTATIONS

There were no deputations presented to Council.

6.11.03 PRESENTATIONS

There were no presentations presented to Council. (Note: Presentation occurred at 8.38 am see page 25)

7.11.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.11.01 ORDINARY MEETING OF COUNCIL HELD ON 20 October 2010

Council Decision

MOVED: Cr Thomas

SECONDED: Cr Corker

That the Minutes of the Ordinary Meeting of Council held on 20 October 2010, as previously circulated on 2 November 2010, be confirmed as a true and accurate record.

CARRIED 9/0

8.11.0 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

The Shire President formally welcomed Jeff Breen as the Acting Chief Executive Officer and advised on the progress of recruitment for a Chief Executive Officer.

9.11.0 DECLARATION BY MEMBERS

Cr's Musgrave, Rumble, Bloem, Shields, Corker, Dias, White and Thomas stated that they had given due consideration to all matters contained in the Agenda before the meeting.

9.11.01 DECLARATION OF INTEREST

Councillors to Note

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

(a) In a written notice given to the Chief Executive Officer before the Meeting or;

(b) At the Meeting, immediately before the matter is discussed.

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

(c) Preside at the part of the Meeting, relating to the matter or;

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

NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)

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

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

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

10.11.0 ENGINEERING SERVICES REPORTS

10.11.25 ONSLOW WATERWISE PROGRAM—ALTERNATIVE WATER SOURCE FOR OVALS AND STREETSCAPE AREAS

FILE REFERENCE:	UT.WA
AUTHOR'S NAME AND POSITION:	Jeffrey Breen Executive Manager Engineering Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	4 November 2010
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in this matter.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

The major potable water use by the Shire in the town site of Onslow is water used on grassed areas and for street tree watering.

Options to reduce this potable water consumption have been investigated. The initial, preferred option is to investigate sourcing ground water from within the town to supplement all or part of this water need.

The Water Corporation has a drilling team currently expanding the Cane River Water supply system. Investigations reveal the potential availability of ground water in the town area.

It is recommended that Council to consider undertaking bore investigations whilst the drilling team is in the Pilbara.

Background

Currently the oval in Onslow requires approximately 20,000kL of reticulated water annually to retain acceptable grass coverage for sporting usage.

Additionally approximately 7,000kL of reticulated and hand watering is used to maintain street trees annually throughout the town site.

The quality of this water does not require to be at a potable standard. There are a number of known existing private ground water bores within the town. Furthermore the quality of water is of a reasonable level for grounds watering.

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Investigations with a ground water investigator have revealed a good source of ground water at a reasonably shallow depth in a stream running in a line from near the hospital entrance (Second Avenue) to near the existing oval's storage tank.

ATTACHMENT 10.11.25

Comment

Based on an estimated annual household water use of 500kL if the above reticulated watering can be supplied from another source then given the current shortage of water in the town, approximately fifty further homes could be developed having access to this potable water.

Given the Water Corporation has a drilling team located currently within 40km of Onslow it would seem opportune to investigate the potential availability of ground water supplies within the town site.

Even if the supply is good but quality not to reticulation standard it can be mixed with a lower percentage of the potable water to reduce the impact on potable water use. Additionally, tree watering will generally tolerate higher water salinity levels based on dripper type reticulation and that these trees will eventually have their root system in the saline water table.

The other option of alternative water supply is to treat recycled effluent water from the Water Corporation's secondary pond sewerage treatment system or from the pump station in McGrath Avenue.

Initial investigations of this option indicate it is not currently cost effective based on:

- High capital costs for the infrastructure treatment and reticulation delivery system.
- High ongoing operational costs with power and chemical and maintenance systems.
- Risks and restrictions associated with the storage and reticulation methods required to meet with Health standards.
- Potential community issues with concern over odors that can be generated from this water source.

Accordingly, as a short term water management strategy it is suggested that underground water be investigated to reduce potable water consumption used on grounds and trees watered by the Shire.

Consultation

Consultation on this proposal has involved:

- Discussions with Pilbara Water Corporation staff on alternative water supply sources for the ovals and reserve tree watering.
- Onsite investigations by a ground water investigator.
- Quotations from Water Corporation drilling team.
- Coordination of the alternative water supply investigation by Shires Engineering Consultant—GES Consulting.

Policy Implications

Council recently endorsed an agreement with the Water Corporation to incorporate Onslow into the Water Wise program which aims to improve the effective use of potable water within the townsite.

Financial Implications

The cost to investigate the potential ground water supply of 2 bore sites would be:

- | | |
|---|-----------------|
| • Mobilisation of drilling equipment from Cane River site | \$ 2,200 |
| • Bore investigations @ \$6000 | \$12,000 |
| • TOTAL | \$14,400 |

The cost to test the production of bores if water is found at both test bore sites would be:

- | | |
|--|-----------------|
| • Mobilisation of pump test equipment | \$ 1,100 |
| • Production bore investigation @ \$25,000 | \$50,000 |
| • Bore pump testing @ \$10,250 | \$20,500 |
| • TOTAL | \$71,600 |

If only one bore was viable the cost would be \$50,750.

Additional to this cost would be the installation of a bore pumping system and pipeline to the existing storage tanks and the ongoing maintenance costs.

If a second bore was successful near Second Avenue and McGrath Avenue, then there would also be further costs to install another pump, power supply, and storage tank with a separate pressure pump system to supply water to the street tree reticulation system.

Funding for these capital costs may be obtained through grant funded options. The actual cost savings in not using the Water Corporation's potable water based on a rate of \$1.50/kL would be around \$40,000 annually. Once established the operational and maintenance cost of the bore water supply system would be much less than the Water Corporation costs.

All these costs can be quantified if an effective ground water supply is obtained from the drilling process.

The payback period could be as little as 3 years if a sufficient quality and quantity of water is discovered.

Strategic Implications

The ability to find an effective alternative water source for watering grounds and reserve trees within the town site of Onslow will allow an effective redistribution of currently available Water Corporation potable water supply to be used for residential and business developments within the town. The development of these private properties will in effect increase the rateable income from the town precinct.

The initial capital investment in the alternative water system would then be effectively returned from other income sources of the Shire.

Voting Requirement

Absolute Majority required to allocate funding not incorporated within the adopted Shire budget.

Council Decision / Officers Recommendation

MOVED: Cr White

SECONDED: Cr Dann

- 1. That Council allocate \$20,000 for the initial water bore investigations in Onslow with the objective of obtaining an alternative water supply for reticulation of the Shire's oval, reserves and trees.**
- 2. That Council directs the Acting Chief Executive Officer, in accordance with the objectives of the Waterwise Program with the Water Corporation for Onslow, to seek funding assistance towards this improved water use strategy for Onslow.**

**CARRIED 9/0
ABSOLUTE MAJORITY**

10.11.26 ONSLOW TOWNSITE—ACCESS TO WATER CORPORATION TANK SITE RESERVE 32702

FILE REFERENCE: BD.R.32702

AUTHOR'S NAME AND POSITION: Jeffrey Breen
Executive Manager Engineering Services

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 4 November 2010

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

PREVIOUS MEETING REFERENCE: Not Applicable

Summary

Correspondence has been received from the Water Corporation seeking Council comment on a proposed realignment of the existing water main and the access road servicing the Corporation's Tanks site Reserve 32702 in Onslow.

Following an inspection of the site by Shire Engineering staff an alternative alignment is recommended using the extension of Third Avenue.

Background

The Water Corporation Tank site on Reserve 32702 on Beadon Point, in Onslow is currently accessed by an unsealed track which passes through a portion of Unallocated Crown Land (UCL) and a freehold, privately owned site (lot 381).

The water pipeline from the tank also passes through the corner of lot 381 and the UCL, as shown in the attachment.

ATTACHMENT 10.11.26

This current situation is not desirable, especially as development is being planned on lot 381 and accordingly the Water Corporation is proposing to relocate a section of the pipeline and the access track. The proposed realignment is shown on the Water Corporation plan "Option 2" as shown in the attachment.

ATTACHMENT 10.11.26

The Water Corporation is seeking comment from the Shire of Ashburton before proceeding with any works. The Water Corporation has also been in consultation with the owner of lot 381.

Comment

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The access track and water main realignment should be relocated within a formal road reserve alignment. The proposal by the Water Corporation achieves this requirement, but has the following disadvantages:

- The proposed realignment does not follow an alignment that fits with the general arrangement of street configurations in the area.
- The proposed alignment splits current road reserve area that has potential for re-vesting and other community development usage.
- The proposed alignment will require a reasonable extent of vegetation removal and earthworks to achieve an acceptable standard vehicle access.
- The proposal assumes that an access will be permitted through the UCL in the future to permit access to lot 381. This land may have potential future development and installing a road access on the suggested alignment may reduce potential development opportunities and is in close proximity to the current coastal boardwalk.

As a result of investigations of the site from an engineering design perspective and having regard to maximizing potential land redevelopment in this area, it is recommended that Council advise the Water Corporation that the preferred alignment for the relaying of the water main and access to the storage tank reserve site 32702 is the use of the unconstructed extension of Third Avenue from First Avenue to the boundary of lot 381. The following comments are noted in relation to this proposal:

- The access track will then be on a formal road alignment that leads directly to the Water Corporations Reserve and will provide a direct access to lot 381.
- This track can then be upgraded as required in the future to meet with a standard street construction for formal access to lot 381.
- The topography of this alignment can be considered to be steeper, but can be designed to achieve an acceptable grade involving earthworks and vegetation clearing similar or lesser than the proposal by the water Corporation.

The access track will be required to be designed and constructed to Shire of Ashburton standards as approved by the Executive Manager Engineering Services. On satisfactory completion of the work Council will take over responsibility for the ongoing maintenance of the road.

Consultation

Consultation has occurred between ---

- The Executive Manager Engineering Services
- Shires Engineering Consultant GES Consulting
- Water Corporation Staff
- The Owner of lot 381

Policy Implications

Not applicable

Financial Implications

Proponent to carry full cost of works

Strategic Implications

Not applicable

Voting Requirement

Simple Majority

Council Decision / Officers Recommendation

MOVED: Cr Bloem

SECONDED: Cr Dias

That Council:

1. Supports the use of the extension of Third Avenue for the construction of a legal access track to the Water Corporations Storage Tank Reserve 32702 and for the relaying of a section of water main;
2. Instructs the Acting Chief Executive Officer to advise Watercorp that the road is to be constructed to a standard approved by the Shire of Ashburton; and
3. On completion of work to the required standard the Shire of Ashburton shall gazette the road and be responsible for ongoing maintenance.

Council Decision

MOVED: Cr Thomas

SECONDED: Cr Corker

That the Item Lay on the Table until the next meeting.

THE ITEM LAY ON THE TABLE

9/0

10.11.27 GREEN WASTE FEES

FILE REFERENCE: FI.FE

AUTHOR'S NAME AND POSITION: Margaret Rowe
Waste Co-Ordinator

NAME OF APPLICANT/RESPONDENT: Tom Price Senior High School

DATE REPORT WRITTEN: 21 October 2010

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

PREVIOUS MEETING REFERENCE: Not Applicable

Summary

The Council sets fees and charges for disposal of waste materials at the Shire's landfill sites. Fees are not charged for domestic (private residents) waste, but all commercial operators are charged.

Tom Price Senior High School has requested that they be exempt from tip fees.

Background

The Shire provides a rubbish collection service for all the schools within the Shire. The school nominates the number of bins and collections per week required and are charged in line with Council's approved fees and charges schedule. If they have additional waste which they may choose to dispose of at the tips they are then charged at the commercial bulk waste rate.

Comment

Until now Tom Price Senior High School has been charged for any additional waste they dispose of at the tip, usually green waste. Recently a phone call was received from the Registrar at the school who queried why they were being charged for their green waste. Discussions with the school gardener confirmed that there was not enough room in the bins for the green waste, which required direct disposal to the tip.

The Shire has since received correspondence requesting that the tip fees for the school be waived for future disposal over and above the normal collection.

Consultation

Executive Manager of Engineering Services

Statutory Environment

Local Government Act 1995 Section 6.16 and 6.17

Policy Implications

There are no Council Policies relevant to this issue

Financial Implications

Financial impact is minimal

Strategic Implications

There are no strategic implications

Voting Requirement

Absolute Majority Required

Council Decision / Officers Recommendation

MOVED: Cr Bloem

SECONDED: Cr Shields

That Council:

- 1. Not waive the fees and recommend that the school either increase their bin number or pay the appropriate gate fees for their extra waste disposal.**

**CARRIED 7/2
ABSOLUTE MAJORITY**

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10.11.28 ENGINEERING SERVICES DECISION STATUS REPORT

#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
1	10/10	10.10.22	Proposed Relocation Of Recycling Facilities at Tom Price and Paraburdoo	That Council: 1. Relocate the recycling 'drop off' facilities in Tom Price to the Tom Price Land fill site. 2. Monitor the level of activity at the Paraburdoo Recycling Station with the understanding that this facility may, after consultation and agreement with the Paraburdoo Councillors be moved to Paraburdoo Land fill site.	Ongoing Works to be completed by End December 2010-11-08 (Nov 2010)
2	10/10	10.10.23	Casual Rate – Commercial Bins	That Council adopt the casual rate for commercial bin service of \$27.00 plus GST per pick-up.	Ongoing Public advertising to take place
3	10/10	15.10.23	RFT 18/10 Structure Review	That Council: 1. Receive the report, and 2. Endorse the assessment panel's recommendation that Morrison Low be awarded the contract for the Structure Review RFT 18/10 for the sum of \$129,600.	Ongoing Tenderers advised of decision. Presentation provided to Morrison Low. Draft timeline received from ML. On site first week of December to interview staff and Councillors. (Nov 2010)
4	07/10	10.07.15	Proposed Upgrade Munjina Airstrip	That Council instruct the Chief Executive Officer prepare a Business Plan, pursuant to Section 3.59 of the Local Government Act 1995, in relation to possible long term lease and management of the Munjina Airstrip on a commercial basis.	Ongoing. Information supplied by Brockman Resources, Business plan being developed. (Oct 2010)

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#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
5	07/10	10.07.16	Proposal To Change Purpose Of Reserve 39500 Willow Road Tom Price To 'Staff Accommodation'	That Council agrees to proceed with changing the purpose of Shire Reserve 39500 from "Recreation" to "Staff Accommodation".	Ongoing. Council resolution forwarded to State Land Services with request to alter reserve purpose. (August 2010)
6	07/10	10.07.17	Proposed Dedication Of Parsley Street, Onslow	That Council; 1. Resolve to request the Minister for Lands to dedicate land as a road, this being the land currently used to access freehold lots 555 & 556 and conditional freehold lots 557 & 563, formerly Parsley Street Onslow in accordance with the attached plan ATTACHMENT 10.07.17 2. That on the Minister granting the request, Council indemnifies the Minister against any claim for compensation.	Ongoing. Council resolution forwarded to Minister with request for dedication. (August 2010)
7	05/10	10.05.10	Shire Logo and Policy	That Council; 1. Approves the Logo Policy (Attachment 10.05.10c) 2. Approves the Tom Price logo and tag line "Experience It" 3. Approves in principle of the logo for the Shire of Ashburton, Paraburdoo, Onslow and Pannawonica and directs the CEO, through public consultation, to provide to Council recommendations for approval of tag lines for each.	Ongoing. Policy implementation being implemented internally. Tag lines for towns to be established. (July 2010)
8	05/10	10.05.12	Tom Price Town Centre Revitalisation	That Council endorses the Tom Price Town Centre Revitalisation Plan	Ongoing. Services progressing well with RTIO, design complete, tenders to be called in November, start work December. (Oct 2010)

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#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
9	04/10	10.04.08	Funding of Proposed Pergolas, Bellary Springs, Wakathuni Aboriginal Communities	That Council: Approves the contribution of \$30,000 as allocated in the 2009/10 budget to IBN Corporation for the construction of steel framed pergolas at the Wakathuni and Bellary communities.	Training and construction commenced on site. (Nov 2010)
10	10/09	10.10.27	Business Plan for a Major Land Transaction – Warara Street, Strata Title Land Development	That Council; 1. Endorses the Business Plan - Major Land Transaction – Warara Street Strata Title Land Development. 2. Directs the CEO to advertise tenders for the work and to report back to Council for acceptance of the tender.	Ongoing. Awaiting final approval from RTIO in its capacity as utility provider. Expected to be tendered in December. (Oct 2010)
11	08/09	10.08.22	Temporary Road Closure – Yampire Gorge Road	That Council 1. Proceed with the closure to vehicular traffic of Yampire Gorge Road, all sections for a further period of eighteen (18) months. 2. Instruct the Chief Executive Officer to place signage to this effect. 3. Instruct the Chief Executive Officer to notify relevant authorities and stakeholders as to the continued closure of the road.	Ongoing. Closure being implemented. (Mar 2010)
12	08/09	10.08.16	Duck Creek Road- Road Closure	That Council, 1. Having noted that no submissions were received in response to public notice of the proposed closure, proceed with the closure to vehicular traffic of Duck Creek Road to vehicular traffic in accordance with Section 3.50 of the Local Government Act 1995. 2. Instruct the Chief Executive Officer, to place signage to this effect, and advise Main Roads Pilbara Region of Council's decision.	Ongoing. MRWA notified, signage being prepared. (Mar 2010)
13	08/08	10.08.13	Proposed Sale of Land – Lot 308 Boonderoo Road, Tom Price	That Council; 1. Directs the EMES to carry out a preliminary subdivision design for the vacant Lot 308 Boonderoo Rd land owned by the Shire. 2. Directs the EMES to seek a valuation of the proposed subdivision and prepare a detailed cost estimate for all works including survey, design and construction. 3. Subject to financial viability, directs the CEO to call tenders for the subject land subject to the proviso that subdivision of the land, availability of title	Ongoing. Land to be auctioned in February 2011.

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
				and provision of services be completed within 6 months of the sale, and the tender be on the basis that there is no requirement to accept any tender	
14	04/08	10.04.08	Relocation of Onslow Landfill	<ol style="list-style-type: none"> 1. That the new Onslow Landfill Site be located adjacent to Onslow Road, 17km from Onslow as identified as Site 3 by the consultant, Sinclair Knight Mertz in its report titled 'Onslow Landfill Options' subject to environmental approvals being forthcoming. 2. That following relevant approvals being obtained for Site 3, the site be used as the new Onslow Landfill Site. A Further transfer station be established on the existing landfill site in Eagle Nest Rd following closure and rehabilitation of that site. 3. That funds amounting to \$100,000 be transferred from the Urban Road Maintenance Account No E121045 (Spent to Date \$135,000 from budget \$410,000) and that a new account be established to carry out further investigative works on Site 3 prior to seeking approvals and final design. 	<p>Ongoing.</p> <p>Consultants (SKM) seeking DEC approvals. State Lands Services not yet responded on excision of land from pastoral lease. Discussions with lease holder revealed objections to the site. Alternatives being investigated. SKM to report in October. (Oct 2010)</p>

Council Decision / Officers Recommendation

MOVED: Cr Corker

SECONDED: Cr Dann

That Council note the contents of this report.

CARRIED 9/0

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

11.11.0 COMMUNITY & ECONOMIC SERVICES REPORTS

11.11.12 COMMUNITY & ECONOMIC SERVICES DECISION STATUS REPORT

#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
1	08/09	11.08.12	Location of Entry Statement – Tom Price	Council appoint Crs Fernandez, Musgrave and Bloem, the Executive Manager, Community & Economic Services Larry Softley and the Executive Manager, Engineering Services, Jeff Breen to a working group for the purpose of looking at all the options for the establishment of the Tom Price Town Entry Statement.	Ongoing. Meeting with Mike Fisher and Mark Eaglesham to discuss design / implementation of rock painted by local Aboriginal Artist as a feature of the entry statement 24 th August. Due to Mark Eaglesham's leave arrangements will now be meeting 23 rd September 2010. Mike Fisher to develop conceptual plans for presentation to Councillors.
2	08/08	11.08.08	Review of Council Policies – Recreation & Culture	Requests the Chief Executive Officer to conduct a further review in relation to Council Policies REC05 & REC07 and report back to Council.	Ongoing. Policies REC05 & REC07 to be presented at the December Council meeting.
3	10/08 02/08	11.10.26 11.02.01	Reconstruction of Vic Hayden Memorial Swimming Pool	<ol style="list-style-type: none"> 1. Resolves to bring forward funding of \$400,000 this fiscal year 2008/2009 for the construction of the smaller pool at the Vic Hayton Memorial Pool Tom Price. 2. Resolves to endorse the early start of construction (pending confirmation of RIFP funding) by ACS Pty Ltd for the construction of the smaller pool at the Vic Hayton Memorial Pool Tom Price. <p>Council decision as at February 2008 That Council;</p> <ol style="list-style-type: none"> 1. Directs the CEO to secure the necessary funding to refurbish the Vic Hayton Memorial Pool; 2. Providing that the necessary funds are available, resolves to refurbish the Vic Hayton Memorial Pool generally in the 	Ongoing. Pool opened to public on 24 September 2010. Official pool opening being planned for late November 2010. Due to non availability of Ministers the official opening has been postponed to the new year.

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
				<p>following manner;</p> <ul style="list-style-type: none"> ○ Refurbishment of the existing pool, retaining it as a 50metre, six lane facility including removal of the surrounding upstand, increase in return water gutter capacity, installation of a semi-wet deck, installation of new waterstop joints, tiling and provision of new hardware ○ Upgrade of balance tank and plant room including new pumps and filtration system and extension of plant room ○ Demolition of existing toddler's pool and construction of new toddler's of semi – circular shape with radius 3.81m and depth 230mm to 300mm connected to a children's pool, being a rectangular pool with curved sides 6.1m x 12.8m and depth 760mm to 910mm. ○ Demolition and construction of concrete concourse including new drainage ○ Upgrade lighting to required standard ○ Refurbishment of existing office, kiosk, change rooms and toilets; <p>3. Providing that the necessary funds are available, resolves to direct the Executive Manager Community & Economic Services to call a Design and Construct Tender for the works.</p>	

Council Decision / Officers Recommendation

MOVED: Cr Bloem

SECONDED: Cr Dann

That Council note the contents of this report.

CARRIED 9/0

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

Rio Tinto Representatives entered the meeting at 8.38 am.

Council Decision

MOVED: Cr Bloem

SECONDED: Cr Corker

That Council suspend standing orders to allow Rio Tinto Representatives (Pannawonica) to make a proposal to Council.

**CARRIED 9/0
ABSOLUTE MAJORITY**

6.11.03 PRESENTATIONS

Bob Harris, Superintendant Pannawonica Townsite and Kevin Butler, Owners Representative for the Wandoo Project, proposed that Rio Tinto undertake the free installation of the new playground equipment at the school with the funds saved being allocated to the purchase of further equipment for the Lion's Park. It was requested that a written proposal be sent to Council.

Rio Tinto Representatives left the meeting at 8.43 am.

Council Decision

MOVED: Cr Corker

SECONDED: Cr Dias

That Council reinstate standing orders.

**CARRIED 9/0
ABSOLUTE MAJORITY**

12.11.0 CORPORATE SERVICES REPORTS

12.11.71 USE OF COMMON SEAL UNDER DELEGATED AUTHORITY

FILE REFERENCE: AS.AS

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

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 3 November 2010

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 345 Amendment No. 8 to the Shire of Ashburton Town Planning Scheme No. 7.
Seal 346 Deed of Sub-lease SOA and Condor Enterprises WA P/L, Paraburdoo Caravan Park Site.

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.

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

Financial Implications

There are no specific financial implications related to this issue.

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 / Officers Recommendation

MOVED: Cr Corker

SECONDED: Cr Thomas

That Council note the contents of this report.

CARRIED 9/0

12.11.72 RECEIPT OF FINANCIALS AND SCHEDULE OF ACCOUNTS FOR MONTHS OF SEPTEMBER AND OCTOBER 2010

FILE REFERENCE: FI.RE

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

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 8 November 2010

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:

September 2010

- Statements of Financial Activity and associated statements for the Month of September 2010.

ATTACHMENT 12.11.72A

October 2010

- 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 12.11.72B
ATTACHMENT 12.11.72C**

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

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 / Officers Recommendation

MOVED: Cr Shields

SECONDED: Cr Thomas

That Council receive the Financial Reports for September 2010 and Schedule of Accounts and Credit Card Statements for October 2010.

CARRIED 9/0

12.11.73 CHANGE OF MEETING TIME FOR DECEMBER COUNCIL MEETING

FILE REFERENCE:	OR.MT.00
AUTHOR'S NAME AND POSITION:	Jeff Breen Executive Manager Engineering Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	8 November 2010
DISCLOSURE OF FINANCIAL INTEREST:	Not Applicable
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

A briefing session for Councillors is proposed prior at the Ordinary Meeting of Council on 15 December in Onslow.

The purpose of the briefing is to inform Councillors on a number of town planning matters that will need to be addressed by Council. It will give Councillors the opportunity to provide input and direction to the process.

It is proposed to delay the start of the Council meeting until 10 am to enable a briefing to be held.

Background

At the December Council meeting it is possible that reports on some or all of the following issues will require a decision of Council:

- Draft Structure Plan for Ashburton North.
- Draft Scheme Amendment No 10 (Ashburton North land for Chevron).
- Draft Development Plan Ashburton North land for Chevron.
- Draft Scheme Amendment No. 11 (Rezoning of Onslow SIA to Special Use).
- Social and Hard Infrastructure Contributions MOU with Chevron.

Comment

Due to the geographically dispersed nature of the Shire the provision of workshops on important matters on which Councillors make decisions has been limited.

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

The planning issues related to the Strategic Industrial Area at Onslow are complex and far reaching. The decisions made by Council will significantly impact on Onslow in terms of social infrastructure, development potential, population, etc.

It is proposed to hold a breakfast workshop commencing at 7.30 am at the Shire office with the Ordinary Meeting of Council commencing at 10 am.

The proposed workshop will be presented by Council staff along with representation from Chevron to fully inform Councillors and to seek input and comment from them regarding the planning issues associated with the Onslow SIA.

The workshop is a communication and information forum only. Reports will be presented to Council at Ordinary Meetings of Council for decision as appropriate.

The change to the meeting time will be widely advertised via newspaper, web site and notice boards.

Statutory Environment

Local Government Act 1995

Policy Implications

There are no policy implications relative to this issue.

Financial Implications

There are no financial implications relative to this issue.

Strategic Implications

Strategic Plan 2004-09 Key Result Area – Best Practice Local Government

Voting Requirement

Simple Majority Required

Council Decision / Officers Recommendation

MOVED: Cr Thomas **SECONDED:** Cr Corker

That Council:

- 1. Holds a planning workshop prior to the Ordinary Meeting of Council on 15 December 2010 commencing at 7.30am**
- 2. Agrees to start the December Ordinary Meeting of Council at 10am.**
- 3. Directs the Acting Chief Executive Officer to advertise the change of starting time at least two weeks prior to the meeting.**

CARRIED 9/0

12.11.74 RATE DEBTORS FOR WRITE OFF

FILE REFERENCE: FI.RE

AUTHOR'S NAME AND POSITION: Melissa Elliott
Finance Officer - Rates

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 10 November 2010

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

PREVIOUS MEETING REFERENCE: Not Applicable

Summary

This is a request for writing off Rates and Interest for Lawson/Paulson assessment A504984/Prospecting Licence P09/423 for the amount of \$1947.93. Tenement was surrendered on 09/06/2009 so writing off this amount now will ensure there is no more interest charges applied to the account.

Background

The proposed write off is as a result of ongoing research into finding Mr Lawson and Mr Paulson. Skip traces by Austral Mercantile have been performed without much result.

The Rates Officer contacted Shire of Upper Gascoyne on 23/09/10 as the Prospecting licence also fell into their Shire. Shire of Upper Gascoyne has performed skip traces and enlisted a Private Investigator with no results. They wrote off their balance which exceeded \$20,000.

Comment

As a result of not being able to locate either party, and no payment has been made since Tenement Grant on the 10/06/2006 it is recommended the Shire of Ashburton write off the \$1947.93 as current and existing Rates Officers have all tried to track Mr Lawson & Mr Paulson down with no luck.

Consultation

Chief Executive Officer
Executive Manager Corporate Services
Executive Manager Western Operations
Rates Officer

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

Statutory Environment

Section 6.12 (1) (c) of the Local Government Act 1995 states, that Council may Write Off any amount of money, which is owed to Local Government

Policy Implications

Policy DA008 Delegated Authority – Writing Off Debts

Policy FIN13 Accounts Receivable Recovery

Financial Implications

The total amount of Interest and Rates to be written off is \$1,947.93

Strategic Implications

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

Voting Requirement

Absolute Majority Required

Officers Recommendation

That Council Write Off \$1,947.93 of Interest and Rates for assessment A504984 Prospecting Licence P09/423.

Council Decision / Officers Recommendation

MOVED: Cr Thomas

SECONDED: Cr Dann

That Council Write Off \$1,947.93 of Interest and Rates for assessment A504984 Prospecting Licence P09/423.

**CARRIED 9/0
ABSOLUTE MAJORITY**

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

12.11.75 CORPORATE SERVICES STATUS REPORT

#	Council Meeting	Agenda Ref.	Report Title	Council Decision	Current Status																																				
1	10/10	12.10.68	Ordinary Meeting of Council – Schedule of Meeting Dates, Times and Location	<div>That Council:<div><div>1. Adopt the Schedule of Meeting dates, times and locations for the period February 2011 to December 2011 as outlined below; and</div><div>2. Pursuant to section 5.25(g) of the Local Government Act 1995, give local public notice of the Schedule of Meeting dates, times and locations for the period February 2011 to December 2011.</div></div><table><tr><th>DATE</th><th>LOCATION</th><th>TIME</th></tr><tr><td>Wednesday, 16 February 2011</td><td>Meeting Room, Community Recreation Centre, Tom Price</td><td>9:00am</td></tr><tr><td>Wednesday, 16 March 2011</td><td>Ashburton Hall Ashburton Avenue, Paraburdoo</td><td>9:00am</td></tr><tr><td>Wednesday, 20 April 2011</td><td>RM Forrest Memorial Hall, Second Avenue, Onslow</td><td>9:00am</td></tr><tr><td>Wednesday, 18 May 2011</td><td>Meeting Room, Community Recreation Centre, Tom Price</td><td>9:00am</td></tr><tr><td>Wednesday, 15 June 2011</td><td>Barry Lang Centre, Pannawonica</td><td>8.00am</td></tr><tr><td>Wednesday, 20 July 2011</td><td>Ashburton Hall Ashburton Avenue, Paraburdoo</td><td>9.00am</td></tr><tr><td>Wednesday, 17 August 2011</td><td>Meeting Room, Community Recreation Centre, Tom Price</td><td>9.00am</td></tr><tr><td>Wednesday, 21 September 2011</td><td>RM Forrest Memorial Hall, Second Avenue, Onslow</td><td>9.00am</td></tr><tr><td>Wednesday, 19 October 2011</td><td>Ashburton Hall Ashburton Avenue, Paraburdoo</td><td>9.00am</td></tr><tr><td>Wednesday, 16 November 2011</td><td>Barry Lang Centre, Pannawonica</td><td>8.00am</td></tr><tr><td>Wednesday, 14 December 2011</td><td>RM Forrest Memorial Hall, Second Avenue, Onslow</td><td>9.00am</td></tr></table></div>	DATE	LOCATION	TIME	Wednesday, 16 February 2011	Meeting Room, Community Recreation Centre, Tom Price	9:00am	Wednesday, 16 March 2011	Ashburton Hall Ashburton Avenue, Paraburdoo	9:00am	Wednesday, 20 April 2011	RM Forrest Memorial Hall, Second Avenue, Onslow	9:00am	Wednesday, 18 May 2011	Meeting Room, Community Recreation Centre, Tom Price	9:00am	Wednesday, 15 June 2011	Barry Lang Centre, Pannawonica	8.00am	Wednesday, 20 July 2011	Ashburton Hall Ashburton Avenue, Paraburdoo	9.00am	Wednesday, 17 August 2011	Meeting Room, Community Recreation Centre, Tom Price	9.00am	Wednesday, 21 September 2011	RM Forrest Memorial Hall, Second Avenue, Onslow	9.00am	Wednesday, 19 October 2011	Ashburton Hall Ashburton Avenue, Paraburdoo	9.00am	Wednesday, 16 November 2011	Barry Lang Centre, Pannawonica	8.00am	Wednesday, 14 December 2011	RM Forrest Memorial Hall, Second Avenue, Onslow	9.00am	Finalised. Advertised in the Pilbara News.
DATE	LOCATION	TIME																																							
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2	10/10	12.10.69	Council Christmas Functions Arrangements for 2010	That Council approve expenditure of approximately \$6,000 for Christmas functions for Councillors and staff in Onslow on 10 December 2010 and Tom Price on 20 November 2010.	Finalised. Arrangements made.																																				
3	09/10 10/10	12.09.61 15.10.21	Debtors for Write Off	<div>That Council Write Off:<div><div>1. Roos & Passow - Invoice No. 893 - \$1939.43 – Total Value = \$1939.43</div></div></div>	Finalised.																																				

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

#	Council Meeting	Agenda Ref.	Report Title	Council Decision	Current Status
4	09/10	12.09.63	Proposed Office & Facility Closures & Arrangements over 2010/11 Christmas / New Year Period	That Council: <ol style="list-style-type: none"> Note the closure of the offices in Tom Price, Paraburdoo, Pannawonica and Onslow for the period 2pm on Thursday 23 December 2010 to Monday 3 January 2011, reopening Tuesday 4 January 2011. Note the changes to the rubbish collection. Note closure of the pools on Christmas Day only. 	Ongoing. To be advertised Nov & Dec 2010.
5	06/10	12.06.49	Offer – Financial Assistance To Undertake Business Planning For Delivery Of Local Government Services Into Indigenous Communities	That Council agrees in principle, to the pooling of funds by the four Pilbara local governments, in order to prepare one regional Business Plan for the Delivery of Local Government Services into Indigenous Communities, subject to final endorsement by Council.	Finalised. Agreement signed with DLG and preferred consultant.
6	05/10	12.05.37	Repeal of Defunct and Obsolete Local Laws	That Council pursuant to section 3.12 of the Local Government Act 1995, give state wide public notice that it intends to make the Shire of Ashburton Repeal Local Law 2010, as contained in the Attachment, the purpose of which is to repeal superfluous, defunct and obsolete local laws; with the effect being more efficient and effective local government by removing outdated local laws from the public record. (Attachment 12.05.37).	Ongoing Advertisement being drafted by Local Laws Consultant
7	12/09	12.12.76	Realignment of Hillside Pastoral Station Boundary Border	That Council defer consideration of the agenda item until the February 2010 meeting of Council, the reason being subsequent to the preparation of the agenda item the Shire received two more proposals from the Local Government Advisory Board to amend the Shire's boundary with the Shire of East Pilbara. It was considered appropriate to consider the proposals collectively.	Ongoing Initial discussions are being held with the Shire of East Pilbara in order to establish that Shires attitude to proposals.

Council Decision / Officers Recommendation

MOVED: Cr Thomas

SECONDED: Cr Shields

That Council note the contents of this report.

CARRIED 9/0

13.11.0 DEVELOPMENT SERVICES REPORTS

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

FILE REFERENCE: PS.TP.7

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

NAME OF APPLICANT/RESPONDENT: Not applicable

DATE REPORT WRITTEN: 3 November 2010

DISCLOSURE OF FINANCIAL INTEREST: The author has no financial interest

PREVIOUS MEETING REFERENCE: Not applicable

Summary

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

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

Background

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

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

Comment

Three (3) approvals have been issued under delegation up until the date of this report. These were for:

Hamersley Iron Pty Ltd	Lot 841 Stadium Road (Windawarri Lodge), Tom Price	Planning Application - Laundry / Storage Facility
Hamersley Iron Pty Ltd	McRae Avenue, Paraburdoo	Planning Application – Workshop, Storage Shed, Gym, Office / Cribroom and two structures
Melita Masterman	Deepdale Drive, Pannawonica	Planning Application – 3 x sea containers and multipurpose building

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

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

Statutory Environment

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

Policy Implications

There are no policy implications relative to this matter.

Financial Implications

There are no financial implications relative to this matter.

Strategic Implications

Values:

- Professionalism
- Quality service delivery & services

Our Focus:

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

Critical Success Factors:

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

Action Plan, Improved Services & Infrastructure:

- Review & implement managerial policies and practices

Voting Requirement

Simple Majority Required

Council Decision / Officers Recommendation

MOVED: Cr Thomas

SECONDED:

Cr Corker

That Council note the contents of this report.

CARRIED 9/0

13.11.66 TOWN PLANNING SCHEME AMENDMENT NO. 12 AND ASSOCIATED DRAFT LOCAL PLANNING POLICY FOR ADVERTISING

FILE REFERENCE: PS.TP.7.12

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

NAME OF APPLICANT/RESPONDENT: Shire of Ashburton

DATE REPORT WRITTEN: 4 November 2010

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

PREVIOUS MEETING REFERENCE: Agenda Item 13.08.44 Ordinary Meeting of Council 18 August 2010

Summary

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

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

As part of the initial Amendment process, it was referred to the EPA for environmental assessment and to the Department of State Development (DSD), Rio Tinto and the Department of Planning (DoP) for advice. The EPA advised that the Amendment would not be assessed. No objection has been received from Rio Tinto and DoP whilst no response has been received from DSD.

Accordingly, it is recommended that Council adopt Amendment No. 12 without modification and advertise the Amendment for 42 days in accordance with the in accordance with the *Town Planning Regulations 1967*.

Council also previously resolved that a Local Planning Policy accompany the Amendment to define design criteria and the like, associated with development of the land. *Draft Local Planning Policy - Assessment of Applications under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme*

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

No. 7 has been prepared and it is recommended that it be adopted for advertising in association with Amendment No. 12.

Background

Draft Amendment No. 12 to the Shire of Ashburton Local Planning Scheme ('Scheme') was initiated by Council at its 18 August 2010 meeting. As part of the initial Amendment process, it was referred to the EPA for environmental assessment and to the Department of State Development (DSD), Rio Tinto and the Department of Planning (DoP) for advice.

The EPA advised that the Amendment would not be assessed. No objection has been received from Rio Tinto and DoP, whilst no response was received by DSD.

Comment

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

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

Within Tom Price and Paraburdoo, land zoned 'Residential' pursuant to the Shire of Ashburton Local Planning Scheme has either the following R Code densities:

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

Proposal

It is proposed that the Shire include a new clause to the Shire's Scheme which provides the opportunity for development approval to be granted where reticulated sewerage and water is available to a residential lot as follows:

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

In effect, draft Amendment No. 12 would allow Council to approve a duplex on a 'vacant' lot with an area of 874m² where the current minimum size is either 900m² or 1000m². In addition, it would encourage the consolidation of vacant residential zoned lots.

Vacant lots have been targeted in the draft Amendment to provide a density bonus where land is vacant or the existing development has reached the end of its economic use. Under the draft Amendment, it would be possible to consider an application where an existing dwelling was on the site however any approval would be conditioned such that the dwelling would need to be removed.

Proposed draft Amendment

The desire is to provide flexibility in the Scheme for a density bonus where residential land is vacant or the existing development has reached the end of its economic use.

Proposed Local Planning Policy

Local Planning Policy - Assessment of Applications under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme No. 7 has been prepared to accompany the Amendment which defines design criteria and the like associated with development of the land. The Local Planning Policy seeks to ensure that a site is comprehensively planned and not simply siting a 'donga' in the back yard.

ATTACHMENT 13.11.66

Conclusions

Tom Price is under considerable development pressure for residential accommodation. There are signs of similar development pressure in Paraburdoo. Tom Price, and Paraburdoo are relatively compact towns and residential areas have easy access to community and commercial services. The desire of pursuing a generic Amendment of this nature is to limit the need for seeking spot rezoning but still having strong enforceable development criteria through the Scheme provision and an accompanying local planning policy.

Amendment No. 12 and draft *Local Planning Policy - Assessment of Applications under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme No. 7* should therefore be advertised concurrently for 42 days and any submissions referred back to Council for considering prior to final adoption.

Consultation

Chief Executive Officer
Executive Manager Engineering Services
Department of Planning

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Department of State Development
Environmental Protection Authority

Statutory Environment

Planning and Development Act 2005

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

After public advertising, Council will consider whether to adopt the amendment for final approval with or without modifications. The final decision on whether to grant final approval to an amendment rests with the Minister for Planning, acting upon recommendation from the WAPC.

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

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

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

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

Policy Implications

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

Financial Implications

There are no financial implications relative to this matter.

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

Council Decision / Officers Recommendation

MOVED: Cr Dann

SECONDED: Cr Corker

1. That Council in Pursuance of Part V of the Planning and Development Act 2005 ("Act"), adopt for community consultation purposes draft Amendment No. 12 ("draft Amendment") to the Shire of Ashburton Town Planning Scheme No. 7 ("Scheme") which proposes:

1. Modifying Clause 6.6 of the Scheme by inserting the following clauses:

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

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

development on the identifiable area provision under Part 7, any relevant Local Planning Policy and amenity of the immediate locality in which the proposed development is to be situated; and

2. **Draft *Local Planning Policy - Assessment of Applications under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme No. 7*** amended to reflect the changes in Part as a draft Local Planning Policy under the provisions of clause. 2.3 of Town Planning Scheme No. 7 and it be advertised in accordance with clause 2.31 of the Scheme concurrently with the advertising of draft Amendment No. 12 to the scheme.
3. That Council adopts draft Local Planning Policy – Assessment of Applications under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme No. 7, (as amended in Part 2) as a draft Local Planning Policy under the provisions of clause 2.3 of Town Planning Scheme No. 7 and it be advertised in accordance with clause 2.31 of the Scheme concurrently with the advertising of draft Amendment No. 12 to the scheme.
4. That the Acting Chief Executive Officer prepare a report to the December meeting of Council that addresses the potential for a scheme amendment on land in Onslow zoned Residential R12.5 that would provide duplex development on specific lots.
5. Following advertising of the draft Amendment No. 12 and draft *Local Planning Policy - Assessment of Applications under Clause 6.6.2 of the Shire of Ashburton Local Planning Scheme No. 7*, the matters be referred back to Council for consideration.

CARRIED 9/0

Declaration of Interest

Prior to consideration of this Agenda Item Cr Dias declared an interest in Agenda Item 13.11.67 in accordance with Section 5.60A of the Local Government Act. The interest being he owns shares in Mitsui & Co Ltd.

Cr Dias left the meeting at 9.06 am.

13.11.67 REQUEST FROM ONSLOW SALT FOR GUIDANCE – ACCEPTABLE MAST HEIGHT IN RESIDENTIAL AREA OF ONSLOW

FILE REFERENCE: UT.CO.02.00

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

NAME OF APPLICANT/RESPONDENT: Onslow Salt

DATE REPORT WRITTEN: 7 November 2010

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

PREVIOUS MEETING REFERENCE: N/A

Summary

Onslow Salt has requested advice on the height Council would consider acceptable for a mast to be located in the rear garden at 14 Watson Drive, Onslow. The lot is owned by Onslow Salt and occupied by a dwelling, as is all adjoining residential land.

Onslow Salt suggests that the mast could be a 10 metre, triangular section, free standing unit which would comply with all of the relevant category 2D cyclone standards and the relevant Australian standard. The tower would be fitted with two Motorola PTP 500 Lite Wireless Ethernet bridges, one as a primary transmitter/receiver the second as a standby in case the primary unit fails. The transmitter/receiver units are only 14.5" x 14.5" square representing a small profile. The purpose of the tower is to improve radio communications for the company.

Onslow Salt is yet to submit an application for planning approval but seeks guidance from Council as to what height would be acceptable. It is understood that the mast could serve its purpose with a height of 6 metres. It is considered that the 6 metre mast would be reasonable as it would not intrude upon the residential character of Onslow and would not set an unreasonable precedent should other applications be forthcoming.

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In this regard, it is recommended that Council provide 'without prejudice' advice to Onslow Salt that it would prefer that the mast, as described, be a maximum of 6 metres and that should an application be made, that the Chief Executive Officer be delegated to approve the mast to a maximum height of 6 metres.

Background

Onslow Salt owns 14 Watson Drive, Onslow as well as all adjoining residential land. The land is outside the Scheme height restrictions for the Onslow Airport.

ATTACHMENT 13.11.67

Onslow Salt has requested advice on the height Council would consider acceptable for a mast to be located in the rear garden at 14 Watson Drive, Onslow. Onslow Salt suggests that the mast could be a 10 metre high, triangular section, free standing unit which would comply with all of the relevant category 2D cyclone standards and the relevant Australian standard. The tower would be fitted with two Motorola PTP 500 Lite Wireless Ethernet bridges, one as a primary transmitter/receiver the second as a standby in case the primary unit fails. The transmitter/receiver units are only 14.5" x 14.5" square representing a small profile. The purpose of the tower is to improve radio communications for the company.

Onslow Salt is yet to submit an application for planning approval but seeks guidance from Council as to what height would be acceptable. It is understood that the mast could serve its purpose with a height of 6 metres.

Comment

It is considered that a 6 metre mast would be reasonable as it would not intrude upon the residential character of Onslow and would not set an unreasonable precedent should other applications for similar be forthcoming.

Any advice from Council should be provided to Onslow Salt on a 'without prejudice' basis whereby Council would judge any application under the Scheme it receives on its merits.

In addition, should an application be received from Onslow Salt for a mast to be located in the rear garden at 14 Watson Drive, Onslow, that the Chief Executive Officer could be delegated authority to determine the application, provided there are no objections. Should objections be received, the application would be referred to Council for consideration.

Consultation

Chief Executive Officer
Executive Manager, Western Operations
Manager Building Services

Under the Scheme, it is considered that the mast is an undefined use which requires advertising pursuant to the Shire of Ashburton Local Planning Scheme No. 7 ('Scheme'). Accordingly, should an Application be lodged, it would need to be advertised and if any objection was received, the application would be referred to Council for decision.

Statutory Environment

Planning and Development Act, 2005
Building Code of Australia

Policy Implications

There are no policy implications that relate to this matter

Financial Implications

There are no financial implications that relate to this matter.

Strategic Implications

There are no strategic implications that relate to this matter.

Voting Requirement

Simple Majority Required.

Council Decision / Officers Recommendation

MOVED: Cr Corker

SECONDED: Cr Shields

That Council:

1. Advise Onslow Salt that with respect to its request for advice on the height Council would consider acceptable for a mast to be located in the rear garden at 14 Watson Drive Onslow, the following 'without prejudice' comment is offered:
 - i) On the basis of information provided by Onslow Salt, Council would consider 6 metres to be a reasonable height based on ensuring that such a mast would not intrude upon the residential character of Onslow and would not set an unreasonable precedent should other similar proposals.
 - ii) Council considers that an application for planning approval is required and would require advertising under the Shire of Ashburton Local Planning Scheme No. 7 ('Scheme').
 - iii) The view of Council is provided to Onslow Salt on a 'without prejudice' basis whereby Council would judge any application under the Scheme it receives on its merits.
2. That should an application be received from Onslow Salt for a mast to be located in the rear garden at 14 Watson Drive Onslow, that the Chief Executive Officer be delegated authority to determine the application, provided there are no objections. Should objections be received, the application would be referred to Council for consideration.

CARRIED 8/0

Cr Dias re-entered the meeting at 9.08 am.

13.11.68 DISPOSAL OF LOT 604 ROCKLEA ROAD, PARABURDOO

FILE REFERENCE: PA.RC.0604

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

NAME OF APPLICANT/RESPONDENT: Shire of Ashburton

DATE REPORT WRITTEN: 9 November 2010

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

PREVIOUS MEETING REFERENCE: Agenda Item 12.02.09 Ordinary Council Meeting – 13 February 2007 – Agreement for Veterinary Service Use

Summary

Lot 604 Rocklea Road, Paraburdoo, has an area of 5301m² and is occupied by a community building. The site is owned by the Shire and part of the building on site is occupied by a veterinary surgeon who pays a rental income to the Shire of \$200.00 per year.

As part of the ongoing Shire land rationalisation assessment being conducted by Engineering Services, Lot 604 has been identified as surplus to the Shire's requirements and for this reason it is proposed that the property be sold.

It should be noted that a further report to Council has been prepared addressing the possible rezoning of the land to a residential density of R50 under the Shire's planning scheme.

It is recommended that Lot 604 Rocklea Road Paraburdoo be disposed by public auction or private treaty and the Chief Executive Officer be delegated authority to seek a valuation from a licenced valuer and to set the reserve price. The valuation would take into account the proposed higher residential density.

Background

Lot 604 Rocklea Road, Paraburdoo, has an area of 5301m² and is occupied by a community building. The site is owned by the Shire and part of the building on site is used by a veterinary surgeon.

The enclosed attachment shows an aerial photo of the site and also a photo of the development on the site.

ATTACHMENT 13.11.68

At the February 2007 Council Meeting it was resolved to rent the building for the purposes of a veterinary clinic for the amount of \$200.00 per annum. The Licence agreement expired in June 2008. The building is in poor repair and will require significant Shire funds to upgrade. Furthermore, there is no immediately identifiable alternative use for the building.

Comment

As part of the ongoing Shire land rationalisation assessment being conducted by Engineering Services, Lot 604 has been identified as surplus to the Shire's requirements and for this reason it is proposed that the property be sold.

It should be noted that a further report to Council has been prepared addressing the possible rezoning of the subject land to a residential density of R50.

It is recommended that Lot 604 Rocklea Road, Paraburdoo, be disposed by public auction or private treaty and the Chief Executive Officer be delegated authority to seek a valuation from a licenced valuer and to set the reserve price. The valuation would take into account the proposed higher residential density.

Consultation

Chief Executive Officer
Executive Manager Engineering Services

There has been no community consultation on this matter.

Statutory Environment

Local Government Act 1995 (as amended) Disposing of Property
Section 3.58.

Section 5.42 of the Local Government Act allows Council to delegate to the Chief Executive Officer the exercising of the powers available to it. An absolute majority is required.

Policy Implications

None anticipated

Financial Implications

The proposed use of the proceeds of the sale of the property has not been identified at this time.

Strategic Implications

The sale will assist in achieving the focus as stated in the Shire's Strategic Plan 2007-2011:

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

Voting Requirement

Absolute Majority Required

Council Decision / Officers Recommendation

MOVED: Cr Bloem

SECONDED: Cr Corker

That Council, pursuant to Section 3.58 of the Local Government Act 1995 resolve to:

- 1. Dispose of Lot 604 Rocklea Road Paraburdoo by public auction or private treaty; and**
- 2. Delegate authority to the Chief Executive Officer to**
 - a) seek a valuation from a licenced valuer; and**
 - b) set the reserve price.**

CARRIED 5/4

**13.11.69 DRAFT TOWN PLANNING SCHEME AMENDMENT NO. 7 TO
REZONE LOTS 603 AND 604 ROCKLEA ROAD PARABURDOO TO
RESIDENTIAL R50**

FILE REFERENCE: PS.TP.7.7

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

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

DATE REPORT WRITTEN: 9 November 2010

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

**PREVIOUS MEETING
REFERENCE:** Not applicable

Summary

Lot 604 Rocklea Road, Paraburdoo is the Shire property referred to in Agenda Item 13.11.69 of the current agenda. The site is presently partly occupied by a veterinary clinic and is in a very poor state of repair. For this reason it is proposed that the site be disposed of.

Under the Shire's Local Planning Scheme, Lot 604 is reserved for 'Public Purposes – Community'.

When considering the rezoning of Lot 604, the local area was reviewed to see whether other land could be considered for alternative zoning. It is considered, that realistically, the only other portion in the immediate vicinity of the land appropriate for residential use is Lot 603, which is owned by RTIO. Lot 603 has an area of 8940^{m²} and is partially occupied by the nurse's quarters (but not used for this purpose).

Discussions with RTIO staff have been undertaken and the company is supportive of the land being considered for residential zoning.

It is recommended that Council initiate Amendment No. 7 to rezone Lot 603 and Lot 604 to Residential R50 and to refer the Amendment to the EPA for assessment. Once the EPA has responded, the matter be referred back to Council for consideration.

Background

The Shire's Town Planning Scheme was Gazetted on 24 December 2004 and has not been reviewed since that date.

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Lot 604 Rocklea Road, Paraburdoo is the Shire property referred to in Agenda Item 13.11.69 of the current agenda. This site is presently partly occupied by a veterinary clinic and is in a very poor state of repair. For this reason it is proposed that the site be disposed of.

Under the Shire's Local Planning Scheme, Lot 604 is reserved for 'Public Purposes – Community'. The land however is a lot that can be freely disposed of by the Shire.

The enclosed attachment shows an aerial view of the site as well as a view of the structures on the site.

ATTACHMENT 13.11.69

In considering the rezoning of Lot 604, the local area was reviewed to see whether other land could be considered for alternative zoning.

It is considered that realistically the only other portion in the immediate vicinity of the land appropriate for residential use is Lot 603, which is owned by RTIO. Lot 603 has an area of 8940m² and is partially occupied by the nurse's quarters (but not used for this purpose).

Discussions with RTIO staff have been undertaken and the company is supportive of the land being considered for residential zoning.

Comment

Under the Scheme, Lot 604 is reserved for 'Public Purposes – Community'. Lot 603 is part zoned 'Residential R 30' and 'Community'. Both lots are within an established precinct of mix of housing (R 30) and community uses, including police station and associated house, church and community centre. Both lots are located close to all commercial and civic uses of Paraburdoo. Rocklea Road is an important access to Paraburdoo and forms a 'boulevard' entrance to the town.

Land opposite to the east (part Lot 61) is owned by RTIO and is partially developed as the Rocklea Palms transient workforce accommodation centre. This land fronts Rocklea Road and is zoned Residential R50.

Within the Residential R50 zone, grouped housing and transient workforce accommodation are permitted at the discretion of the Council. Further, when determining whether to exercise its discretion, such applications are assessed against the Residential Design Codes (R Codes). Under the Scheme, transient workforce accommodation (irrespective of whether it is a permanent or temporary structure) is regarded as residential development. The R Codes cover a range of matters, including open space requirements, building setbacks and separations, car parking and landscaping.

Under a Residential R50 zone, the setback to Rocklea Road would be 4 metres and allow up to 27 residential units on Lot 604 and up to 48 units on Lot 603.

Should Council support the rezoning as proposed, it is appropriate that a local planning policy be drafted to guide the development of the land so as not to impinge upon the visual entry into

Paraburdoo. In this regard, it is suggested that the local planning policy would address setbacks, building height, open space, residential amenity, car parking and landscaping associated with the development of Lots 603 and 604 as it affects the frontage to Rocklea Road. It is also suggested that any such local planning policy address development of Rocklea Palms (Part Lot 61) as it affects the frontage to Rocklea Road.

On the basis of the above, it is recommended that Council initiate Amendment No. 7 based on the matters outlined in this report.

Consultation

Chief Executive Officer
Executive Manager Engineering Services

Statutory Environment

Planning and Development Act 2005
Shire of Ashburton Town Planning Scheme No. 7
Environmental Protection Act 1986
Discussion with senior executive from RTIO on the rezoning of Lot 604.

Town Planning Scheme amendments are processed in accordance with the Planning and Development Act (2005) and Town Planning Regulations. The decision on whether to adopt an amendment is solely that of Council (this is where this 'draft Amendment' currently sits in the process). Upon adoption by Council the amendment is referred to the Environmental Protection Authority (EPA) after which public advertising of the proposal occurs. After public advertising, Council will consider whether to adopt the amendment for final approval with or without modifications. The final decision on whether to grant final approval to an amendment rests with the Minister for Planning & Infrastructure, acting upon recommendation from the Western Australian Planning Commission.

Policy Implications

None anticipated

Financial Implications

The Shire is able recoup costs associated with this process where it relates to the RTIO component. The Shire is unable to recoup costs associated with its land.

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

Council Decision / Officers Recommendation

MOVED: Cr Shields

SECONDED: Cr Dias

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

- 1. To rezone Lot 604 Rocklea Road Paraburdoo from 'Public Purposes – Community' reserve to 'Residential' zone with a Residential Planning Code equivalent of 'R 50' as set out in the Amendment Map.**
- 2. To rezone part Lot 603 and Lot 606 Rocklea Road Paraburdoo from 'Community' zone to 'Residential' zone with a Residential Planning Code equivalent of 'R 50' as set out in the Amendment Map.**
- 3. To modify the existing Residential zone Residential Planning Code equivalent of 'R 30 for part Lot 603 Rocklea Road Paraburdoo to R50' as set out in the Amendment Map.**
- 4. That, as the draft Amendment is in the opinion of Council consistent with Part V and Schedule 1 of the Act, regulations made pursuant to the Act and relevant state planning policy prepared under Part III of the Act, that upon preparation of the necessary documentation, the draft Amendment be referred to the Environmental Protection Authority (EPA) as required by Part V of the Act, and on receipt of a response from the EPA indicating that the draft Amendment is not subject to formal environmental assessment, be referred back to Council to consider whether the Amendment will further pursued.**
- 5. That the Chief Executive Officer be instructed to write to RTIO requesting that that contribute on an equal basis to the cost of initiating and pursuing Amendment No. 7.**
- 6. That following response from the EPA in accordance with Part 4 above, the matter be referred back to Council for further consideration. In preparing a further Report on the matter, the Chief Executive Officer be instructed to:**
 - i) Address the response from the EPA;**
 - ii) Provide a draft Local Planning Policy that addresses setbacks to Rocklea Road and planning guidelines for potential residential and transient workforce accommodation use and development on Lots 603 and 604, 606 and Part Lot 61 Rocklea Road, Paraburdoo; and**

RTIO's response pursuant to part 5 of this recommendation.

CARRIED 9/0

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

13.11.70 DEVELOPMENT SERVICES DECISION STATUS REPORT

#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
1	10/10	13.10.56	Environmental Health & Trading in Public Places Fees and Charges Amendment	<p>That Council:</p> <ol style="list-style-type: none"> In accordance with the provisions of Section 6.17 and 6.18 of the Local Government Act 1995 replace the Fees and Charges Schedule for the 2010/11 Financial year as it relates to the Food Act 2008 with the following: <ul style="list-style-type: none"> • High Risk \$500 • Medium Risk \$400 • Low Risk \$300 Delegate to the Chief Executive Officer the authority to discount fees levied under the Food Act 2008 where food standards have been deemed satisfactory the previous year. <p>Reason for Council Decision - The Chief Executive Officer advised Council that clarification was required as to the precise wording.</p>	Ongoing. Amendment to fees and charges to be advertised.
2	10/10	13.10.57	Planning Application – Proposed residential building at Onslow Airport (Existing Dwelling), Onslow/Mount Stuart Road, Onslow	<p>That Council:</p> <ol style="list-style-type: none"> Approve the application made by the Shire of Ashburton to use the existing dwelling at Onslow Airport, Onslow/Mount Stuart Road, Onslow for the purposes of a residential building subject to 8 conditions and 1 note. 	Finalised. Planning Approval issued.
3	10/10	13.10.58	Position Paper on Fly-In Fly-Out Workforce and Accommodation	<p>That Council:</p> <ol style="list-style-type: none"> Notes the Report and Schedule of submissions. Instructs the Chief Executive Officer to: <ol style="list-style-type: none"> Prepare a further Report to Council concerning: <ol style="list-style-type: none"> A revision to the Shire's <i>Local Planning Policy – Transient Workforce Accommodation</i> based on the following 'policy' position: <i>"The Council of the Shire of Ashburton acknowledges that "fly- in, fly-out" workforce operations are an important factor in developing the resources of the Pilbara. Transient workforce accommodation generally falls into two workforce categories:</i> <ul style="list-style-type: none"> • construction workforce; and • operational workforce. <i>The Council acknowledges that there will be circumstances such as</i> 	<p>Ongoing.</p> <p>Item 1. – No action required.</p> <p>Item 2a. – Report to be made available at the next appropriate Council</p>

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
				<p><i>remoteness and limited life of a particular activity that result in a need for transient workforce accommodation camps to be established outside of the townsites.</i></p> <p><i>These camps will normally be construction workforce transient workforce accommodation and for a limited time period.</i></p> <p><i>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.”</i></p> <p>ii) An amendment to the Shire of Ashburton Local Planning Scheme No. 7 that would allow transient workforce accommodation in the Commercial and Civic zone as an ‘A’ use and where such development reflects the following ‘principles’:</p> <ul style="list-style-type: none"> • any such transient workforce accommodation will be of a very high quality for the benefit of occupiers, as well as the community; • motel style development, with significant landscaping, quality design and materials, will be encouraged; and • a limitation on the overall proportion (%) of transient workforce accommodation within a development may be required by Council. <p>iii) And the water report shall consider, but not be limited to socio economic and water reticulation issues.</p> <p>b) Write to the submitters thanking them for their time and assistance in</p>	<p>meeting.</p> <p>Item 2b. – Submitters advised.</p>

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
				providing their respective advice and opinions on the complex issue of 'fly in fly out' workforce in the Shire and providing them with a copy of the Council resolution.	
4	10/10	13.10.59	Extension of time for planning approval – Proposed additional accommodation facilities Paraburdoo Hotel, Lot 622 McRae Avenue, Paraburdoo	<p>That Council:</p> <ol style="list-style-type: none"> 1. Pursuant to Clause 5.12.2 of the Shire of Ashburton Local Planning Scheme No. 7 extend the term of Planning Approval to construct and use 160 additional accommodation rooms as well as caravan and camping facilities on Lot 622 McRae Avenue, Paraburdoo, in accordance with the submitted plans until 22 August 2012, subject to the conditions of Approval dated 22 August 2008. 2. Instruct the Chief Executive Office to write to the Applicant advising of Council's decision to extend term of Planning Approval and reminding the Applicant that: <ol style="list-style-type: none"> i) the subject site is zoned "Commercial and Civic" in the Scheme; ii) 'transient workers accommodation' is a prohibited use in a "Commercial and Civic" zone. iii) The scheme defines "transient workforce accommodation" as: <i>"dwellings intended for the temporary accommodation of transient workers and may be designed to allow transition to another use or may be designed as a permanent facility for transient workers and includes a construction camp and dongas"</i> iv) the development as approved must not be used for 'transient workers accommodation', which is reflected in condition 'k' of the approval. 	Finalised - Applicant advised
5	10/10	13.10.60	Proposed Subdivision – Lot 852 Onslow Road, Onslow (WAPC Ref: 142846)	<p>That Council advise the Western Australian Planning Commission that:</p> <ol style="list-style-type: none"> 1. Council offers no objection to WAPC Subdivision Application Ref 142846 by Whelans to subdivide land at Lot 852 Onslow Road, Onslow into two (2) lots, subject to the following conditions being included in the subdivision approval subject to 8 conditions and 1 note. 	Finalised - WAPC Advised
6	10/10	13.10.61	Request for comment on Draft Planning Scheme Amendment No. 10 Ashburton North Strategic Industrial Area, Onslow	<p>That Council:</p> <ol style="list-style-type: none"> 1. Instruct the Chief Executive Officer to write to Chevron Australia Pty Ltd advising the company in relation to Chevron's correspondence of 22 September 2010 as well as Chevron's 'preliminary' draft Amendment No 10 to the Shire of Ashburton Local Planning Scheme ('Scheme'), draft Structure Plan for the Ashburton North Strategic Industrial Area ('ANSIA') and draft 	<p>Ongoing.</p> <p>Item 1 – Chevron advised.</p> <p>Item 2 – no</p>

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
				<p>Development Guide Plan, Council, would not initiate any Amendment to the Scheme that provides for operational workforce accommodation at the ANSIA.</p> <p>2. Resolve that in relation to a Special Use zone for transient workforce accommodation within the ANSIA, it would be prepared to support a planning Scheme amendment based on the following provisions:</p> <p>No. 2. Description of Land – Portion of Ashburton Location 153 Onslow Road</p> <p>Special Use – Transient Workers Accommodation</p> <p>Conditions:</p> <ol style="list-style-type: none"> 1. Land use and development shall generally be in accordance with a Structure Plan and Development Plan approved by the local government and the Western Australian Planning Commission which addresses those matters defined in Clause 7.9 and Appendix 11 as it relates to the Ashburton North Strategic Industrial Area and specifically, provides details on the layout, staging, operational period of the use, accommodation of operational workforce, transport, access, landscaping, management and environmental issues associated with the development and use of the land. 2. All transient workforce accommodation shall be considered a 'D' Use under the Scheme. 3. Transient workforce accommodation shall only be used for accommodation of a workforce directly involved in the construction or maintenance of those uses and developments approved in writing by the local government. 4. Transient workforce accommodation for operational purposes of any use or development is prohibited. 5. The local government may require the preparation of a legal agreement in relation to the use and operation of the transient workforce accommodation and to ensure that only those persons involved in the construction or maintenance of those uses and developments approved in writing by the local government. <p>3. Instruct the Chief Executive Officer in association with the Shire President, to prepare and distribute a press release advising of Council's position (as reflected in resolutions 1 and 2 above) and to ensure that the community of Onslow is made aware of Council's position.</p>	<p>action until further Scheme Amendment in the ANSIA is proposed.</p> <p>Item 3 – Press release prepared dated 21 October 2010</p>

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
7	10/10	13.10.62	Proposed Sales / Operations Office for Tom Price Town Centre Revitalisation	That Council approve Capital Expenditure of \$100,000 to purchase a transportable Sales/Operations Office for use in association with the Tom Price Town Centre Revitalisation Project. The building to be located on Lot 2 Stadium Road, Tom Price.	Finalised. Capital Expenditure Item incorporated.
8	10/10	13.10.63	Planning Application – Proposed Sales/Operations Office (Associated with the Tom Price Revitalisation Project) at Lot 2 Stadium Road, Tom Price	That Council: 1. Approve the Planning Application made by the Shire of Ashburton to construct and use a transportable building for the purpose of temporary transportable sales/operations office (associated with the Tom Price Revitalisation Project) at Lot 2 Stadium Road, Tom Price, generally located in accordance with the submitted plans and subject to 5 conditions and 2 notes.	Finalised. Planning Approval issued.
9	10/10	15.10.20	Request by Hamersley Iron P/L to extend the life of the existing 120 person construction worker accommodation facility at Paraburdoo (Kirra Kulli)	That Council advise the Department of State Development that it supports a 24 month extension (until 31 December 2012) to the life of the existing 120 bed Paraburdoo Mine Accommodation Facility (Kirra Kulli Camp), subject to Hamersley Iron P/L committing to work in a meaningful manner with the Department of State Development, Department Regional Development and Lands, and the Shire in order to develop a Paraburdoo Townsite Strategy, which will guide future decision making in relation to the town.	Finalised. DSD advised of Council decision
10	09/10	13.09.48	Proposed closure and transfer of unconstructed part of Boonderoo Road, Tom Price	That Council: 1. Close the 502m2 portion of Boonderoo Road reserve for transferral to Lot 308 in compliance with Section 58 of the Land Administration Act 1997, in accordance with ATTACHMENT 13.09.48. 2. Advertise the closure and transfer of 1. above in a locally circulating newspaper for a minimum period of 35 days inviting the public to comment, pursuant to Section 58 of the Land Administration Act 1997. 3. Require that should any objection be received in response to the statutory advertising of the proposed closure or the property transferral shall be referred back to the Council for consideration. 4. Note that providing no objections are received from the public to the road closure and transferral, the Chief Executive Officer be requested to submit to the Minister for Land Information a request to close the 502m2 portion of Boonderoo Road reserve for transferral to Lot 308 in accordance with ATTACHMENT 13.09.48.	Ongoing. Public advertising is being undertaken.

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
11	08/10	13.08.44	Draft Town Planning Scheme Amendment No. 12 - to include a new scheme provision that encourages the consolidation of vacant residential zoned lots in Tom Price And Paraburdoo	<p>That Council, in pursuance of Part V of the Planning and Development Act 2005 ("Act"), adopt for community consultation purposes draft Amendment No. 12 ("draft Amendment") to Shire of Ashburton Town Planning Scheme No. 7 ("Scheme") that proposes:</p> <p>2. Modifying Clause 6.6 of the Scheme by inserting the following clauses:</p> <p>"6.6.2 Notwithstanding any other provision of the Scheme, where reticulated sewerage and water is available to a lot in Tom Price and Paraburdoo:</p> <p>(a) the local government may consent to the development for the purposes of the erection of not more than two grouped dwellings on a vacant lot comprising not less than 874m², with a minimum site area of 437m² per grouped dwelling, within any area coded R20 or greater on the Scheme Map, subject to formal advertising pursuant to Clause 5.7;</p> <p>(b) subject to Sub-Clauses (d), the local government may for the purposes of urban consolidation, only consent to the development of a vacant lot for the purposes of grouped dwellings at a maximum density of R30 on a lot greater than 1,500m² within any area coded R20 on the Scheme Map, subject to formal advertising pursuant to Clause 5.7;</p> <p>(c) subject to Sub-Clause (d), the local government may for the purposes of urban consolidation, only consent to the development of a vacant lot for the purposes of grouped dwellings at a maximum density of R40 on a lot greater than 1,500m² within any area coded R30 on the Scheme Map, subject to formal advertising pursuant to Clause 5.7; and</p> <p>(d) in determining any application lodged pursuant to Sub-Clauses (a), (b) & (c) above the local government shall consider, in addition to those matters listed in Clause 5.9 the likely impacts of the proposed development on the identifiable area provision under Part 7, any relevant Local Planning Policy and amenity of the immediate locality in which the proposed development is to be situated; and</p> <p>(e) in considering any application lodged pursuant to Sub-Clauses (a), (b) & (c) the local government may approve an application where the lot is not vacant at the time of application, provided</p>	Finalised. See subsequent report in November 2010 Agenda.

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
				<p>the local government includes a condition of approval requiring a signed agreement committing the land owner to the removal of any buildings before commencing any works.”</p> <p>3. That, as the draft Amendment is in the opinion of Council consistent with Part V and Schedule 1 of the Act, regulations made pursuant to the Act and relevant state planning policy prepared under Part III of the Act, that upon preparation of the necessary documentation, the draft Amendment be referred to the Environmental Protection Authority (EPA) as required by Part V of the Act, and on receipt of a response from the EPA indicating that the draft Amendment is not subject to formal environmental assessment, be referred back to Council to consider whether the Amendment will further pursued.</p> <p>4. That prior to advertising, the views of the Western Australian Planning Commission (WAPC), the Department of State Development (DSD) and Rio Tinto (RTIO) be sought concerning the draft Amendment.</p> <p>5. That following response from the EPA in accordance with Part 2 above and the WAPC, DSD and RTIO in accordance with Part 3, the matter be referred back to Council for further consideration. In preparing a further Report on the matter, the Chief Executive Officer be requested to:</p> <p>iii) Address the responses from the EPA, WAPC, DSD and RTIO; and</p> <p>iv) Provide a draft Local Planning Policy that addresses the necessary residential design criteria and any special town related matters.</p>	
12	07/10	13.07.38	Planning Scheme Amendment No. 9 - Ashburton North Strategic Industrial Area, Onslow – Adoption For Final Approval	<p>7. That Council, in pursuance of Part V of the <i>Planning and Development Act 2005</i>, adopt draft Amendment No. 9 ("draft Amendment") to Shire of Ashburton Town Planning Scheme No. 7 ("Scheme") for final approval for the purposes of modifying the Scheme to read as follows:</p> <p>1. Modifying Clause 6.11.8 of the Scheme to read as follows:</p> <p>“6.11.8 When considering applications for planning approval in the Strategic Industry zone, Local Government shall ensure that the proposal:</p> <p>(a) optimises the effectiveness of the zone as a strategic industrial area and utilises major infrastructure, creates symbiosis with other industries or includes resource processing industry;</p> <p>(b) complies with the requirements of any endorsed Structure Plan;</p>	Finalised. Amendment approved by Minister – 4 Nov 2010.

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#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
				(c) is significant to the regional and/or state economies; or (d) provides goods and services which directly support or compliment industries described in (a) and (b) of this sub clause; and (e) minimises or offsets impacts on local infrastructure, economic and community development”.	
13	06/10	13.06.31	Draft Town Planning Scheme Amendment No. 8 –Modifications To Strategic Industrial Zone To Prohibit Transient Workforce Accommodation.	<p>8. That the Council, in pursuance of Part V of the <i>Planning and Development Act 2005</i>, adopt draft Amendment No. 8 ("draft Amendment") to Shire of Ashburton Town Planning Scheme No. 7 ("Scheme") for final approval for the purposes of modifying the zoning table of the Scheme to read as follows:</p> <p>(a) Identifying Transient Workforce Accommodation as an X use class in the Strategic Industry zone.</p> <p>9. That Council endorse the schedule of submissions prepared in response to the community consultation undertaken in relation to the draft Amendment.</p> <p>10. That the Council refer the draft Amendment so adopted for final approval, to the Western Australian Planning Commission with a request for the approval of the Hon. Minister for Planning.</p> <p>That, where notification is received from the Western Australian Planning Commission that a modification of the amendment is required prior to approval of the amendment by the Minister, this modification is to be undertaken in accordance with the requirements of the Town Planning Regulations 1967, unless it is considered by the Shire that the modification affects the intent of the amendment in which case it shall be referred to the Council for consideration.</p>	Ongoing Amendment referred to Western Australian Planning Commission.
14	05/10	13.05.28	Adoption of Draft Townsite Strategy - Onslow	<p>That Council:</p> <ol style="list-style-type: none"> Note this Report and Schedules 1-3. (Attachments 13.05.28(a)(b)(c)) Accept the late submissions (Schedule 3). Modify and adopt the draft Onslow Townsite Strategy in accordance with the recommendations reflected in Schedules 1-3 and the Report to Council. Request the Western Australian Planning Commission to endorse the 	Ongoing Modified Strategy has been provided to the Department of Planning for finalisation –

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
				Onslow Townsite Strategy as adopted by Council.	once completed. It will then be forwarded to the WAPC for adoption.
15	05/08	13.05.23	Council Policy Review – Aboriginal Environment Health Policy.	Directs the Chief Executive Officer to draft a new Council Policy relating to Aboriginal Environmental Health Strategy and report back to Council	Ongoing – Close to finalising AEH-Strategy. To be submitted to December Meeting.
16	03/08	13.03.11	Town Planning Scheme Amendment No. 2 – Modification to the Scheme to reflect local planning policy – Transient Workforce Accommodation	<p>That Council, in pursuance of Part V of the <i>Planning and Development Act 2008</i> ("Act"), adopt for community consultation purposes draft Amendment No. 2 ("Amendment") to <i>Shire of Ashburton Town Planning Scheme</i> No. 1 ("Scheme") that proposes:</p> <ol style="list-style-type: none"> 1. That the zoning table be modified as follows: <ol style="list-style-type: none"> (a) Identifying 'Transient Workforce Accommodation' as a 'X' use class in the 'Mixed Business' zone; (b) Identifying 'Transient Workforce Accommodation' as a 'X' use class in the 'Industrial & Mixed Business Development' zone; and (c) Identifying 'Transient Workforce Accommodation' as a 'X' use class in the 'Rural Living' zone; 2. That, as the draft Amendment is in the opinion of Council consistent with Part V and Schedule 1 of the Act, regulations made pursuant to the Act and relevant state planning policy prepared under Part III of the Act, that upon preparation of the necessary documentation, the draft Amendment be referred to the Environmental Protection Authority (EPA) as required by 	Ongoing. Further information being gathered for Council. Being considered in association with draft Amendment No.8.

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#	Council Meeting (mm/yy)	Agenda Ref.	Report Title	Council Decision	Current Status
				<p>Part V of the Act, and on receipt of a response from the EPA indicating that the draft Amendment is not subject to formal environmental assessment, be advertised for a period of 42 days, in accordance with the <i>Town Planning Regulations 1967</i>.</p> <p>3. That following advertising of the draft Amendment, the matter be referred back to Council for further consideration.</p>	

Council Decision / Officers Recommendation

MOVED: Cr Corker

SECONDED: Cr Bloem

That Council note the contents of this report.

CARRIED 9/0

MINUTES – ORDINARY MEETING OF COUNCIL 17 NOVEMBER 2010

14.11.0 WESTERN OPERATIONS REPORTS

14.11.19 WESTERN OPERATIONS DECISION STATUS REPORT

#	Council Meeting	Agenda Ref.	Report Title	Council Decision	Current Status
ENGINEERING					
1	05/10	16.05.06	Draft Ashburton North Community Investment Strategy	That Council support in principle the draft Ashburton North Community Infrastructure Strategy.	Ongoing Discussion with State Government agencies & resource companies.
2	04/10	14.04.06	Lot 944 First Street, Onslow Reserve 42626	That Council (a) call for expressions of interest from the Onslow community to establish an arts and culturally based use for the property 944 First Street, and (b) that Council list the appropriate budget funding for the upkeep and progressive restoration of the property 944 First Street	Ongoing
3	03/09	15.03.01	Mosquito Management Plan	That Council 1. Formalise a Mosquito Control Program for the Shire of Ashburton 2. Approve the unbudgeted capital expenditure of \$23,000 on Mosquito Control Program assets	Ongoing Waiting for finalised document from Health Team.
COMMUNITY					
1	11/08	14.11.18	Pannawonica Community Plan	That Council advise the Minister for State Development and Robe River Mining Company Pty Ltd, that (a) The Shire views with concern the company's public release of the Pannawonica Community Plan prior to the Council having an opportunity to formally consider the Shire initiated plan (b) It does not support the Pannawonica Community plans prepared by the company for the following reasons: a. The community infrastructure and services components of the plan lack definition, are limited in scope and are largely	Ongoing Continue to negotiate with Rio Tinto

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#	Council Meeting	Agenda Ref.	Report Title	Council Decision	Current Status
				uncosted b. The community plan largely consists of elements which are not community infrastructure or services c. The community plan is based on a workforce which appears to have a greater emphasis on Fly In – Fly Out operators based in Pannawonica than when the Mesa A project was submitted to the Minister for State Development for approval pursuant to the State Agreement.	
CORPORATE					
1	10/10	15.10.22	Leasing Office Space in Perth	That Council allocate \$2,500 per month from unbudgeted municipal funds and secure a 12 month lease for office space in the Pilbara Ports office in Perth.	Ongoing. Negotiations with Dampier Port Authority.
2	03/05	12.03.120	Robe River Memorandum of Understanding	That Council agrees to the Memorandum of Understanding between the Shire of Ashburton and Robe River containing the following commitments: 1. The Shire of Ashburton leasing: <ul style="list-style-type: none"> The Library, Shire Office and Sentinel Chicken Coops; The Dog Pound; The Caravan Park and Ablutions Block 2. Robe River renovating the above facilities prior to the commencement of the leases. 3. The Shire of Ashburton donating the amount of \$1,000 annually to each of the Occasional Child Care Centre and Neighbourhood Centre. 4. The Shire of Ashburton committing to funding the Community Liaison Officer position for twenty (20) hours per week and to actively pursuing alternative funding sources for an additional twenty (20) hours. 5. The Shire of Ashburton providing two free street sweeps per year with additional sweeps provided on a fee for service basis.	Ongoing Work is ongoing – both Rio and Shire committed to outcome before end of financial year
DEVELOPMENT					
1	12/08	13.12.408	Proposed Transfer of Emergency Services Building	That :- 1. Council agree to transfer the tenure of the Onslow Emergency Service Building to FESA subject to:- <ol style="list-style-type: none"> FESA to become responsible for the outstanding loan on the facility and any financial outlay required for the transfer thereof; and A condition being placed on the Management Order over the 	Ongoing This item to be escalated to finalise before

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#	Council Meeting	Agenda Ref.	Report Title	Council Decision	Current Status
				<p>premises that they are to be used only to house the local Volunteer Emergency Services including the Marine Rescue Service.</p> <ol style="list-style-type: none"> 2. The necessary procedures required to affect the transfer be implemented. 3. The present designation of Lot 971 in the Shire's Town Planning Scheme No.7 be amended to reflect the existing land use during the Planning Scheme review for Onslow. 4. The future need of the Onslow Emergency Services Building Management Committee and Instrument of Delegation DA503 be noted and in due course be discontinued. 	Christmas

Council Decision / Officers Recommendation

MOVED: Cr Corker

SECONDED: Cr Bloem

That Council note the contents of this report.

CARRIED 9/0

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

Council Decision

MOVED: Cr Corker

SECONDED: Cr Shields

That Council considers the following late Agenda Item;
- 15.11.24 BUSH FIRE ADVISORY COMMITTEE

9/0

CARRIED BY ABSOLUTE MARJORITY

15.11.24 BUSH FIRE ADVISORY COMMITTEE

FILE REFERENCE: RS.BC.1

AUTHOR'S NAME AND POSITION: Morgwn Jones
Supervisor of Emergency Services

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 15 November 2010

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

PREVIOUS MEETING REFERENCE: Not Applicable

Summary

On 9 November 2010 the Bushfire Advisory Committee met at the Shire of Ashburton Council Chambers in Tom Price for its scheduled meeting.

The recommendation of this report is that Council adopt the recommendations and action items contained within the minutes of these meetings as resolutions of Council.

Background

The composition of the Tom Price Bushfire Advisory Committee consists of the following stakeholders or their proxy delegate:

President Shire of Ashburton: Cr Greg Musgrave
Councilor Shire of Ashburton: Cr Ivan Diaz
CEO Shire of Ashburton: Keith Pearson

Executive Manager Engineering Services: Jeffrey Breen
Chief Bush Fire Control Officer: Morgwn Jones
Deputy Chief Bush Fire Control Officer: Ian Chance
Deputy Chief Bush Fire Control Officer: Chris O'Connell
Officers from the Tom Price Bush Fire Brigade
Shire Ranger Paraburdoo: Seb Reeve
FESA Regional Manager Pilbara: Wayne Cooke
DEC Representatives: Richard Boykett & Jo Shalders
Captains of the Private Volunteer Fire and Rescue Brigades of Tom Price, Paraburdoo, Paraburdoo & Panawonnica.
Pastoralists: Rob Morgan Rocklea

Comment

Outline of discussions held at this meeting are contained within the attached minutes.

Under the Bush Fires Act 1954 a Local Government from time to time may appoint such persons as it thinks necessary to be its Bush Fire Control Officers. With the onset of summer it is necessary to appoint FCO's for the upcoming season.

ATTACHMENT 15.11.24

Statutory Environment

Sections 5.8, 5.10 and 5.25 of the Local Government Act 1995, relating to committees and their meetings.

Section 38 (1) of the Bush Fires Act 1954 – In respect of Appointing Bush Fire Control Officers, and a Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officers from amongst persons so appointed

The Shire of Ashburton shall publish all appointments in a least one (1) newspaper circulating in the district.

Policy Implications

Council Policy ENG08; Bush Fire Policy

Financial Implications

Advertising of appointments

Strategic Implications

There are no strategic implications relative to this matter

Voting Requirement

Absolute Majority Required

Council Decision / Officers Recommendation

MOVED: Cr Corker

SECONDED: Cr Shields

That Council:

1. Accept the minutes of the Bush Fire Advisory Committee held on 9 November 2010.

2. Revokes all previous FCO appointments and appoints:

**(a) Morgwn Jones as CBFCO
Ian Chance as DCBFCO
Chris O'Connell as DCBFCO
Sebastian Reeve as FCO
Geoff Harrison as FCO
Peter Nazarovs as FCO
Darryl Hannah as FCO
Paul Madden as FCO**

For the whole of the Shire of Ashburton.

**(b) Ivan Diaz as FCO
Robert Morgan as FCO
For the Paraburdoo area**

**(c) Michael Booth (CBFCO Shire of Roebourne) as FCO
Andrew Norris (CBFCO Shire of East Pilbara) as FCO
Peter Wilden (CBFCO Town of Port Headland) as FCO**

For those areas where the Shires share a boundary.

3. Provides up to \$5000 for a purpose built Emergency Signage trailer.

4. Provides up to \$500 for signage at the Boonderoo Rd Station.

5. That a third nomination be sought from the Bush Advisory Committee for the Paraburdoo area.

**CARRIED 9/0
ABSOLUTE MAJORITY**

16.11.0 CONFIDENTIAL REPORTS

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

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

(a) a matter affecting an employee or employees;

(b) the personal affairs of any person;

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

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

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

(I) a trade secret;

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

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

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

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

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

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

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

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

(h) such other matters as may be prescribed.

Council Decision

MOVED: Cr Corker

SECONDED: Cr Bloem

That Council close the meeting to the public at 9.30 am pursuant to sub section 5.23 (2) (a) and (b) of the Local Government Act 1995.

CARRIED 9/0

16.11.13 CONFIDENTIAL ITEM – ONSLOW AERODROME MASTER PLAN

FILE REFERENCE: TR.AT.1.1

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

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 8 November 2010

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

PREVIOUS MEETING REFERENCE: Agenda item 15.06.12 – Ordinary Meeting of Council 16 June 2010

Please refer to Confidential Item Attachment under separate cover.

Council Decision / Officers Recommendation

MOVED: Cr Corker

SECONDED: Cr Bloem

That Council:

1. Council endorses the DRAFT ONSLOW AERODROME MASTER PLAN, as a planning guideline for the expansion and development of the Onslow Aerodrome land.
2. Council agrees to the allocation of \$100,000 towards the Onslow aerodrome upgrade and associated planning and consultant services.

CARRIED 9/0

Council Decision

MOVED: Cr Shields

SECONDED: Cr White

That Council re-open the meeting to the public at 9.47 am pursuant to sub section 5.23 (2) (a) and (b) of the Local Government Act 1995.

CARRIED 9/0

17.11.0 NEXT MEETING

The next Ordinary Meeting of Council will be held on 15 December 2010, at the RM Forrest Memorial Hall, Second Avenue, Onslow commencing at 10.00 am.

18.11.0 CLOSURE OF MEETING

The Shire President declared the meeting closed at 9.47 am.