



Shire of Ashburton
Ordinary Council Meeting
Attachments
Public

Clem Thompson Pavilion, Stadium Road

Tom Price

20 July 2021

1:00pm

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6.2A – Declarations of Interest



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Douglas (Ivan) Dias
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I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.3 - Staff Accommodation Strategy 2020 - 2030

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☒ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	My wife is a Pilbara Iron employee and we both own shares in Rio Tinto Ltd individually and collectively.
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Extent of interest <i>(only if seeking to participate – s 5.68)</i>	We are potential recipients benefits offered to employees and shareholders. Our primary residence is a house provided by Rio Tinto.
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I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Monday, 12 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Douglas (Doug) Diver
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I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.3 - Staff Accommodation Strategy 2020 - 2030

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☒ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I am employed by Rio Tinto.
---------------------------	-----------------------------

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	I receive a salary, I also receive subsidized utilities (water / power) and rent as part of my salary package.
---	--

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Monday, 12 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Matthew Lynch
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I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.3 - Staff Accommodation Strategy 2020 - 2030

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☒ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I am an employee and tenant of Rio Tinto.
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Extent of interest <i>(only if seeking to participate – s 5.68)</i>	I am paid a salary by Pilbara Iron.
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I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed

Date

Sunday, 11 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Linton Rumble
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I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.3 - Staff Accommodation Strategy 2020 - 2030

The type of interest I wish to declare is:

- ☒ Financial *(Section 5.60A – Local Government Act 1995)*
☐ Proximity *(Section 5.60B – Local Government Act 1995)*
☐ Indirect financial *(Section 5.61 – Local Government Act 1995)*
☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I am share holder of Rio Tinto has greater share value than \$10,000 which was started in 1987 as work investment plan which I still hold to day.
---------------------------	---

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	I am requesting to be in the discussion as rate payer and as elected member of council by community. I feel the interest as similar nature and value are like
---	---

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Monday, 12 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Kerry White
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I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.3 - Staff Accommodation Strategy 2020 - 2030

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
☒ Proximity *(Section 5.60B – Local Government Act 1995)*
☐ Indirect financial *(Section 5.61 – Local Government Act 1995)*
☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	Two properties on Third Avenue
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Extent of interest <i>(only if seeking to participate – s 5.68)</i>	
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I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed K. J. White Date Tuesday, 13 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Kenn Donohoe
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I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.3 - Staff Accommodation Strategy 2020 - 2030

The type of interest I wish to declare is:

- ☒ Financial *(Section 5.60A – Local Government Act 1995)*
☐ Proximity *(Section 5.60B – Local Government Act 1995)*
☐ Indirect financial *(Section 5.61 – Local Government Act 1995)*
☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	The nature of my interest is I am an employee whose contract of employment has housing provided as part of the contract.
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Extent of interest <i>(only if seeking to participate – s 5.68)</i>	The extent of my interest is I have rental subsidies provided for properties in Onslow and Tom Price.
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I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed

Date

Tuesday, 13 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Douglas (Ivan) Dias
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I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.4 Land Asset Assessment

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
☐ Proximity *(Section 5.60B – Local Government Act 1995)*
☒ Indirect financial *(Section 5.61 – Local Government Act 1995)*
☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I own shares in Rio Tinto Ltd. My wife is a Pilbara Iron employee. We live in a house provided by Rio Tinto.
---------------------------	--

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	My wife is a Rio Tinto share holder individually and jointly with me. We are receive all benefits offered to employees and shareholders.
---	--

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Monday, 12 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Linton Rumble
-------------	-------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.4 Land Asset Assessment

The type of interest I wish to declare is:

- ☒ Financial *(Section 5.60A – Local Government Act 1995)*
☐ Proximity *(Section 5.60B – Local Government Act 1995)*
☐ Indirect financial *(Section 5.61 – Local Government Act 1995)*
☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I am share holder of Rio Tinto has greater share value than \$10,000 which was started in 1987 as work investment plan which I still hold today
---------------------------	---

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	I am requesting to be in the discussion as rate payer and as elected member of council by community. I feel the interest as similar nature and like value
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I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Monday, 12 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Kerry White
-------------	-----------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.4 Land Asset Assessment

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
- ☒ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☐ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	Two properties on Third Avenue
---------------------------	--------------------------------

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	
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I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed K. J. White Date Tuesday, 13 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Rory de Pledge
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I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.5 Mining Act - 1978 Tenement Referrals - 1 February 2021 to 31 March 2021

The type of interest I wish to declare is:

- ☒ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☐ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	The nature of my interest is I hold shares in FMG.
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Extent of interest <i>(only if seeking to participate – s 5.68)</i>	The extent of my interest is financial.
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I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed

Date

Tuesday, 13 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Douglas (Ivan) Dias
-------------	-------------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.5 Mining Act - 1978 Tenement Referrals - 1 February 2021 to 31 March 2021

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
☐ Proximity *(Section 5.60B – Local Government Act 1995)*
☒ Indirect financial *(Section 5.61 – Local Government Act 1995)*
☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	My wife and I own shares in Rio Tinto Ltd individually and collectively. We are potential recipients benefits offered to employees and shareholders.
---------------------------	--

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	My wife is a Pilbara Iron employee and our primary residence is a house provided by Rio Tinto.
---	--

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Monday, 12 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Douglas (Doug) Diver
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I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.5 Mining Act - 1978 Tenement Referrals - 1 February 2021 to 31 March 2021

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☒ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I am employed by Rio Tinto.
---------------------------	-----------------------------

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	I receive a salary, I also receive subsidized utilities (water / power) and rent as part of my salary package.
---	--

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Monday, 12 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Melanie Gallanagh
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I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.5 Mining Act - 1978 Tenement Referrals - 1 February 2021 to 31 March 2021

The type of interest I wish to declare is:

- ☒ Financial *(Section 5.60A – Local Government Act 1995)*
☐ Proximity *(Section 5.60B – Local Government Act 1995)*
☐ Indirect financial *(Section 5.61 – Local Government Act 1995)*
☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	The nature of my interest is myself and my husband are employed by Rio Tinto, have company housing and shares in Rio Tinto and the extent of my interest is Financial
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Extent of interest <i>(only if seeking to participate – s 5.68)</i>	We have shares of greater value than \$10,000 in Rio Tinto
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I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Monday, 12 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Matthew Lynch
-------------	-------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.5 Mining Act - 1978 Tenement Referrals - 1 February 2021 to 31 March 2021

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☒ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I am an employee and tenant of Rio Tinto.
---------------------------	---

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	I am paid a salary by Pilbara Iron.
---	-------------------------------------

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed

Date

Sunday, 11 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Linton Rumble
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I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.5 Mining Act - 1978 Tenement Referrals - 1 February 2021 to 31 March 2021

The type of interest I wish to declare is:

- ☒ Financial *(Section 5.60A – Local Government Act 1995)*
☐ Proximity *(Section 5.60B – Local Government Act 1995)*
☐ Indirect financial *(Section 5.61 – Local Government Act 1995)*
☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I am share holder of Rio Tinto has greater share value than \$10,000 which was started in 1987 as work investment plan which I still hold today.
---------------------------	--

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	I am requesting to be in the discussion as rate payer and as elected member of council by community. I feel the interest as similar nature and like value.
---	--

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Monday, 12 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Douglas (Ivan) Dias
-------------	-------------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.6 Mining Act - 1978 Tenement Referrals - 1 April 2021 to 30 April 2021

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☒ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	My wife and I own shares in Rio Tinto Ltd individually and collectively.
---------------------------	--

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	We are potential recipients benefits offered to employees and shareholders. My wife is a Pilbara Iron employee, and we live in a house provided by Rio Tinto.
---	---

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Monday, 12 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Douglas (Doug) Diver
-------------	--------------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.6 Mining Act - 1978 Tenement Referrals - 1 April 2021 to 30 April 2021

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☒ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I am employed by Rio Tinto.
---------------------------	-----------------------------

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	I receive a salary, I also receive subsidized utilities (water / power) and rent as part of my salary package.
---	--

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Monday, 12 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Melanie Gallanagh
-------------	-----------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.6 Mining Act - 1978 Tenement Referrals - 1 April 2021 to 30 April 2021

The type of interest I wish to declare is:

- ☒ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☐ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	The nature of my interest is myself and my husband are employed by Rio Tinto, have company housing and shares in Rio Tinto and the extent of my interest is Financial
---------------------------	---

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	We have shares of greater value than \$10,000 in Rio Tinto
---	--

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Monday, 12 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Matthew Lynch
-------------	-------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.6 Mining Act - 1978 Tenement Referrals - 1 April 2021 to 30 April 2021

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☒ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I am an employee and tenant of Rio Tinto.
---------------------------	---

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	I am paid a salary by Pilbara Iron.
---	-------------------------------------

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed

Date

Sunday, 11 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Linton Rumble
-------------	-------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.6 Mining Act - 1978 Tenement Referrals - 1 April 2021 to 30 April 2021

The type of interest I wish to declare is:

- ☒ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☐ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I am share holder of Rio Tinto has greater value than \$10,000 which was started in 1987 as work investment plan which I hold today
---------------------------	---

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	I am requesting to be in the discussion as rate payer and as elected member council by community. I feel the interest are similar and like value.
---	---

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Monday, 12 July 2021

6.2A - Declarations of Interest



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Douglas (Ivan) Dias
-------------	-------------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.7 Mining Act 1978 Tenement Referrals - 1 May 2021 to 26 June 2021

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☒ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	My wife and I own shares in Rio Tinto Ltd individually and collectively. We are potential recipients benefits offered to employees and shareholders.
---------------------------	--

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	My wife is a Pilbara Iron employee and our primary residence is a house provided by Rio Tinto.
---	--

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed 

Date Wednesday, 14 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Douglas (Doug) Diver
-------------	--------------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.7 Mining Act 1978 Tenement Referrals - 1 May 2021 to 26 June 2021

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
☐ Proximity *(Section 5.60B – Local Government Act 1995)*
☒ Indirect financial *(Section 5.61 – Local Government Act 1995)*
☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I am employed by Rio Tinto.
---------------------------	-----------------------------

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	I receive a salary, I also receive subsidized utilities (water / power) and rent as part of my salary package.
---	--

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Thursday, 15 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Melanie Gallanagh
-------------	-----------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.7 Mining Act 1978 Tenement Referrals - 1 May 2021 to 26 June 2021

The type of interest I wish to declare is:

- ☒ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☐ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	The nature of my interest is myself and my husband are employed by Rio Tinto, have company housing and shares in Rio Tinto and the extent of my interest is Financial
---------------------------	---

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	We have shares of greater value than \$10,000 in Rio Tinto
---	--

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Thursday, 15 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Matthew Lynch
-------------	-------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.7 Mining Act 1978 Tenement Referrals - 1 May 2021 to 26 June 2021

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☒ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I am an employee and tenant of Rio Tinto.
---------------------------	---

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	I am paid a salary by Pilbara Iron.
---	-------------------------------------

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed

Date

Wednesday, 14 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Linton Rumble
-------------	-------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	11.7 Mining Act 1978 Tenement Referrals - 1 May 2021 to 26 June 2021

The type of interest I wish to declare is:

- ☒ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☐ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I am share holder of Rio Tinto has greater share value than \$10,000 which was started in 1987 as work investment plan which I still hold today.
---------------------------	--

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	I am requesting to be in the discussion as rate payer and as elected member of council by community. I feel the interest as similar nature and like value.
---	--

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Wednesday, 14 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Douglas (Ivan) Dias
-------------	-------------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	13.1 - Proposed change of Reserve purpose with power to lease - Reserve 38467 (Lot 41 on Deposited Plan 184619)

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
☒ Proximity *(Section 5.60B – Local Government Act 1995)*
☐ Indirect financial *(Section 5.61 – Local Government Act 1995)*
☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I own shares in Rio Tinto Ltd. My wife is a Pilbara Iron employee. We live in a house provided by Rio Tinto. My wife is a Rio Tinto share holder individually and jointly with me.
---------------------------	--

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	Lot 57 DP 216345 leased by Hamersley Iron which is an unsealed track running behind Reserve 38467, and Lot 92 DP 190547 (Kings Lake), for which Hamersley Iron Pty Ltd has a lease.
---	---

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed

Douglas Dias

Date

Monday, 12 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Melanie Gallanagh
-------------	-----------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	13.1 - Proposed change of Reserve purpose with power to lease - Reserve 38467 (Lot 41 on Deposited Plan 184619)

The type of interest I wish to declare is:

- ☒ Financial *(Section 5.60A – Local Government Act 1995)*
☐ Proximity *(Section 5.60B – Local Government Act 1995)*
☐ Indirect financial *(Section 5.61 – Local Government Act 1995)*
☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	The nature of my interest is myself and my husband are employed by Rio Tinto, have company housing and shares in Rio Tinto and the extent of my interest is Financial
---------------------------	---

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	We have shares of greater value than \$10,000 in Rio Tinto
---	--

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Monday, 12 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Matthew Lynch
-------------	-------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	13.1 - Proposed change of Reserve purpose with power to lease – Reserve 38467 (Lot 41 on Deposited Plan 184619)

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☒ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I am an employee and tenant of Rio Tinto.
---------------------------	---

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	I am paid a salary by Pilbara Iron.
---	-------------------------------------

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed

Date

Sunday, 11 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Douglas (Ivan) Dias
-------------	-------------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	18.1 Award of Request for Quote - Community Lifestyle and Infrastructure Plan (Confidential)

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
☐ Proximity *(Section 5.60B – Local Government Act 1995)*
☒ Indirect financial *(Section 5.61 – Local Government Act 1995)*
☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	My wife is a Pilbara Iron employee and we both own shares in Rio Tinto Ltd individually and collectively.
---------------------------	---

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	We are potential recipients of all the benefits and gifts offered to employees and shareholders. Our primary residence is a house provided by Rio Tinto.
---	--

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed

Douglas Dias

Date

Monday, 12 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Douglas (Doug) Diver
-------------	--------------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	18.1 - Award of Request for Quote - Community Lifestyle and Infrastructure Plan (Confidential)

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☒ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I am employed by Rio Tinto.
---------------------------	-----------------------------

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	I receive a salary, I also receive subsidized utilities (water / power) and rent as part of my salary package.
---	--

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Monday, 12 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Melanie Gallanagh
-------------	-----------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	18.1 - Award of Request for Quote - Community Lifestyle and Infrastructure Plan

The type of interest I wish to declare is:

- ☒ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☐ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	The nature of my interest is myself and my husband are employed by Rio Tinto, have company housing and shares in Rio Tinto and the extent of my interest is Financial
---------------------------	---

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	We have shares of greater value than \$10,000 in Rio Tinto
---	--

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Monday, 12 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Matthew Lynch
-------------	-------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	18.1 - Award of Request for Quote - Community Lifestyle and Infrastructure Plan (Confidential)

The type of interest I wish to declare is:

- ☐ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☒ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I am an employee and tenant of Rio Tinto.
---------------------------	---

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	I am paid a salary by Pilbara Iron.
---	-------------------------------------

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed

Date

Sunday, 11 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Linton Rumble
-------------	-------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	13.1 - Proposed change of Reserve purpose with power to lease – Reserve 38467 (Lot 41 on Deposited Plan 184619)

The type of interest I wish to declare is:

- ☒ Financial *(Section 5.60A – Local Government Act 1995)*
- ☐ Proximity *(Section 5.60B – Local Government Act 1995)*
- ☐ Indirect financial *(Section 5.61 – Local Government Act 1995)*
- ☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I am share holder of Rio Tinto has greater value than \$10,000 which was started in 1987 as work investment plan which I hold today
---------------------------	---

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	I am requesting to be in the discussion as rate payer and as elected member of council by community. I feel the interest I have are of similar nature and like value.
---	---

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Monday, 12 July 2021



Written Declaration of Interest in a Matter Before Council

Note – Use one form per declaration of interest.

Name	Cr. Linton Rumble
-------------	-------------------

I wish to declare an interest in the following item to be considered by Council –

Meeting date	Tuesday, 20 July 2021
Agenda item	18.1 - Award of Request for Quote - Community Lifestyle and Infrastructure Plan (Confidential)

The type of interest I wish to declare is:

- ☒ Financial *(Section 5.60A – Local Government Act 1995)*
☐ Proximity *(Section 5.60B – Local Government Act 1995)*
☐ Indirect financial *(Section 5.61 – Local Government Act 1995)*
☐ Impartiality *(Regulation 11 – Local Government Act (Rules of Conduct) Regulations 2007)*

Nature of interest	I am share holder of Rio Tinto has greater value than \$10,000 which was started in 1987 as work investment plan which I hold today.
---------------------------	--

Extent of interest <i>(only if seeking to participate – s 5.68)</i>	I am requesting to be in the discussion as rate payer and as elected member council by community. I feel the interest I have are similar and like value.
---	--

I understand the above information will be recorded in the minutes of the meeting and in any legislatively required registers.

Signed  Date Monday, 12 July 2021



9.1A – Confirmation of Minutes

Ordinary Council Meeting



Paraburdoo

Unconfirmed Public Minutes

15 June 2021

Ashburton Hall
Ashburton Avenue
Paraburdoo
1:00 pm



Agendas and Minutes are available on the Shire's website ashburton.wa.gov.au

The Shire of Ashburton 10 year Strategic Community Plan (2017-2027) provides focus, direction and represents the hopes and aspirations of the Shire.

Our Vision

We will embrace our unique Pilbara environment and lifestyle through the development of vibrant, connected and active communities that have access to quality services, exceptional amenities and economic vitality.



STRATEGIC DIRECTIONS

1. Vibrant and Active Communities
2. Economic Prosperity
3. Unique Heritage and Environment
4. Quality Services and Infrastructure
5. Inspiring Governance



The Shire of Ashburton respectfully acknowledges the traditional custodians of this land.



**Shire of Ashburton
Ordinary Council Meeting
Minutes**

**Ashburton Hall, Ashburton Avenue
Paraburdoo**

**15 June 2021
1:00pm**

9.1A - Confirmation of Minutes
Unconfirmed Public Minutes Ordinary Council Meeting 15 June 2021

The Chief Executive Officer recommends the endorsement of these minutes at the next ordinary council meeting.



K Donohoe
Chief Executive Officer
14 June 2021

These minutes were confirmed by council as a true and correct record of proceedings of the ordinary council meeting held on Tuesday 15 June 2021.

Presiding Member _____

Date _____

Disclaimer

The resolutions contained in the minutes are subject to confirmation by council. The Shire of Ashburton warns anyone who has an 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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9.1A - Confirmation of Minutes
Unconfirmed Public Minutes Ordinary Council Meeting 15 June 2021

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1 Declaration of opening

The Presiding Member declared the meeting open at 1:00 pm.

1.1 Acknowledgement of country

As representatives of the Shire of Ashburton council, we respectfully acknowledge the local Indigenous people, the traditional custodians of this land where we are meeting upon today and pay our respects to them and their elders past, present, and emerging.

2 Announcement of visitors

Nil

3 Attendance

3.1 Present

Elected members

Cr K White	Shire President (Presiding Member) Onslow Ward
Cr D Diver	Deputy Shire President, Tom Price Ward
Cr M Lynch	Tom Price Ward
Cr L Rumble	Paraburdoo Ward
Cr D Dias	Paraburdoo Ward
Cr M Gallanagh	Pannawonica Ward
Cr J Richardson	Tablelands Ward
Cr R de Pledge	Ashburton Ward

Employees

K Donohoe	Chief Executive Officer
N Cain	Director Corporate Services
A Majid	Director People and Place
M Khosravi	Director Infrastructure Services
C McGurk	Director Projects and Procurement
D Walkington	Acting Governance Officer
A Lennon	Manager Media and Communication
N Jeffery	Executive Assistant Corporate Services
T Dayman	Manager Finance and Administration
M Connop	ICT Administrator
J Watson	ICT Assistant

Guests

J Phillips	JCP Consulting
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Members of the public

One (1)

Members of the media

Nil

3.2 Apologies

Nil

3.3 Approved leave of absence

Nil

4 Question time

4.1 Response to previous public questions take on notice

Nil

4.2 Public question time

Nil

5 Applications for leave of absence

Cr J Richardson requested leave of absence from 1 July 2021 to 31 August 2021, inclusive.

Council Decision	89/2021
Moved	Cr M Lynch
Seconded	Cr L Rumble
That Council grant leave of absence to Cr J Richardson from 1 July 2021 to 31 August 2021, inclusive.	
Carried 8/0	

6 Declaration by members

6.1 Due consideration by Councillors to the agenda

All Councillors noted they had given due consideration to all matters contained in the agenda presently before the meeting.

6.2 Declarations of interest

11.2 Staff Accommodation Strategy 2020 – 2030

Name	Type of interest	Nature / extent of interest
CR K White	Proximity	The nature of my interest is I own two properties (Lot 420 and 327 Third Avenue, Onslow). The extent of my interest is proximity.
Cr D Diver	Financial	The nature of my interest is I am employed by Rio Tinto. The extent of my interest is I receive a salary and I also receive subsidised utilities (water / power) and rent as part of my salary package.
Cr M Lynch	Indirect Financial	The nature of my interest is I am an employee and tenant of Rio Tinto. The extent of my interest is I am paid a salary by Pilbara Iron.
Cr L Rumble	Financial	The nature of my interest is I am an elected ratepayer who is a member of council which I have a reinvestment number of shares which has increased above the greater value of \$10,000 over the past 34 years. The extent of my interest is financial as I am a shareholder.
Cr D Dias	Indirect Financial	The nature of my interest is my wife is a Pilbara Iron employee and we both own shares in Rio Tinto Ltd individually and collectively. We are potential recipient benefits offered to employees and shareholders. Our primary residence is a house provided by Rio Tinto. The extent of my interest is indirect financial.
Cr M Gallanagh	Indirect Financial	The nature of my interest is myself and my husband are employed by Rio Tinto, have company housing and shares in Rio Tinto. The extent of my interest is financial as we have shares of greater value than \$10,000 in Rio Tinto.
K Donohoe	Financial	The nature of my interest is I am an employee whose contract of employment has housing provided as part of the contract. The extent of my interest is I have rental subsidies provided for properties in Onslow and Tom Price.

11.3 Mining Act 1978 tenement referrals – 1 February 2021 to 31 March 2021

Name	Type of interest	Nature / extent of interest
Cr D Diver	Financial	The nature of my interest is I am employed by Rio Tinto. The extent of my interest is I receive a salary and I also receive subsidised utilities (water / power) and rent as part of my salary package.
Cr M Lynch	Indirect Financial	The nature of my interest is I am an employee and tenant of Rio Tinto. The extent of my interest is I am paid a salary by Pilbara Iron.
Cr L Rumble	Financial	The nature of my interest is I am a shareholder and elected member of council who holds Rio Tinto shares value greater than \$10,000 investment plan. The extent of my interest is financial.
Cr D Dias	Indirect Financial	The nature of my interest is my wife and I own shares in Rio Tinto LTD individual and collectively. We have potential recipient benefits offered to employees and shareholders. My wife is a Pilbara Iron employee, and our primary residence is a house provided by Rio Tinto. The extent of my interest is indirect financial.
Cr M Gallanagh	Financial	The nature of my interest is myself and my husband are employed by Rio Tinto, have company housing and shares in Rio Tinto. The extent of my interest is financial as we have shares of greater value than \$10,000 in Rio Tinto.
Cr J Richardson	Proximity	The nature of my interest is one of the tenement referrals encroaches on my pastoral lease. The extent of my interest is proximity.

11.4 Mining Act 1978 tenement referrals – 1 April 2021 to 30 April 2021

Name	Type of interest	Nature / extent of interest
Cr D Diver	Financial	The nature of my interest is I am employed by Rio Tinto. The extent of my interest is I receive a salary and I also receive subsidised utilities (water / power) and rent as part of my salary package.
Cr M Lynch	Indirect Financial	The nature of my interest is I am an employee and tenant of Rio Tinto. The extent of my interest is I am paid a salary by Pilbara Iron.
Cr L Rumble	Financial	The nature of my interest is I am a ratepayer and elected member of council which holds Rio Tinto shares greater than \$10,000 value investment plan for my retirement. The extent of my interest is I am a shareholder of Rio Tinto.
Cr D Dias	Indirect Financial	The nature of my interest is my wife and I own shares in Rio Tinto LTD individual and collectively. We have potential recipient benefits offered to employees and shareholders. My wife is a Pilbara Iron employee, and our primary residence is a house provided by Rio Tinto. The extent of my interest is indirect financial.
Cr M Gallanagh	Financial	The nature of my interest is myself and my husband are employed by Rio Tinto, have company housing and shares in Rio Tinto. The extent of my interest is financial as we have shares of greater value than \$10,000 in Rio Tinto.

11.5 Land asset assessment

Name	Type of interest	Nature / extent of interest
Cr D Diver	Financial	The nature of my interest is I am employed by Rio Tinto. The extent of my interest is I receive a salary and I also receive subsidised utilities (water / power) and rent as part of my salary package.
Cr L Rumble	Financial	The nature of my interest is I am an elected member of council and ratepayer, who has shares in a reinvestment plan of greater value than \$10,000. The extent of my interest is I am a shareholder of Rio Tinto.
Cr D Dias	Indirect Financial	The nature of my interest is I own shares in Rio Tinto. My wife is a Pilbara Iron employee. We live in a house provided by Rio Tinto. My wife is a Rio Tinto shareholder individually and jointly with me. We receive all benefits offered to employees and shareholders. The extent of my interest is indirect financial.
Cr M Gallanagh	Financial	The nature of my interest is myself and my husband are employed by Rio Tinto, have company housing and shares in Rio Tinto. The extent of my interest is financial as we have shares of greater value than \$10,000 in Rio Tinto.

13.1 Proposed change of Reserve purpose with power to lease – Reserve 38647 (Lot 41 on Deposited Plan 184619)

Name	Type of interest	Nature / extent of interest
Cr M Lynch	Indirect Financial	The nature of my interest is I am an employee and tenant of Rio Tinto. The extent of my interest is I am paid a salary by Pilbara Iron.
Cr D Dias	Proximity	The nature of my interest is I own shares in Rio Tinto Ltd. My wife is a Pilbara Iron employee. We live in a house provided by Rio Tinto. My wife is a Rio Tinto share holder individually and jointly with me. Lot 57 DP 216345 leased by Hamersley Iron, which is an unsealed track running behind Reserve 38467, and Lot 92 DP 190547 (Kings Lake), for which Hamersley Iron Pty Ltd has a lease. The extent of my interest is Proximity.
Cr R de Pledge	Financial	The nature of my interest is I hold shares in FMG. The extent of my interest is financial.

13.2 Community support grant allocation – Round 2 2020-2021 financial year

Name	Type of interest	Nature / extent of interest
Cr M Lynch	Impartiality	The nature of my interest is I am a committee member of The Diamond Club Inc. The extent of my interest is I am a committee member of the Diamond Club Inc.

18.1 Award of Request for Quote – Community Lifestyle and Infrastructure Plan

Name	Type of interest	Nature / extent of interest
Cr D Diver	Financial	The nature of my interest is I am employed by Rio Tinto. The extent of my interest is I receive a salary and I also receive subsidised utilities (water / power) and rent as part of my salary package.
Cr M Lynch	Indirect Financial	The nature of my interest is I am an employee of Rio Tinto. The extent of my interest is I am paid by Pilbara Iron.
Cr L Rumble	Financial	The nature of my interest is financial. I hold Rio Tinto shares. Also note I am a ratepayer and have like interest in the community I am elected for in the town for the past 20 years. I have these shares in my retirement investments which increase by rolling over an ongoing investment over 34 years. I also pay tax on these shares, never had any personal gain. The extent of my interest is I have a greater value than \$10,000, which I always declare each year under the requirements of the Act.
Cr D Dias	Indirect Financial	The nature of my interest is my wife is a Pilbara Iron employee and we both own shares in Rio Tinto Ltd individually and collectively. We are potential recipients of all the benefits and gifts offered to employees and shareholder. Our primary residence is a house provided by Rio Tinto. The extent of my interest is indirect financial.
Cr M Gallanagh	Financial	The nature of my interest is myself and my husband are employed by Rio Tinto, have company housing and shares in Rio Tinto. The extent of my interest is financial as we have shares of greater value than \$10,000 in Rio Tinto.

**7 Announcements by Presiding Member and Councillors
without discussion**

Nil

8 Petitions / deputations / presentations

8.1 Petitions

Nil

8.2 Deputations

Nil

8.3 Presentations

Nil

9 Confirmation of minutes

9.1 Confirmation of council meetings

Council Decision	90/2021
Moved	Cr L Rumble
Seconded	Cr J Richardson
That Council confirm the unconfirmed minutes of the ordinary council meeting held in the Multi-Purpose Centre, Corner Hooley Avenue and McGrath Avenue, Onslow on 18 May 2021 as a true and accurate record, as included in Attachment 9.1A.	
Carried 7/1	

9.2 Receipt of committee and other minutes

Nil

9.3 Receipt of committee meetings – en bloc

Nil

9.4 Recommendations of committee

Nil

10 En bloc resolutions

10.1 Agenda items adopted en bloc

Nil

11 Office of the CEO reports

11.1 Progress of implementation of Council Decisions status report for May 2021

File reference	GV04
Author's name	D Walkington
Author's position	Acting Governance Officer
Author's interest	Nil
Authorising officer's name	K Donohoe
Authorising officer's position	Chief Executive Officer
Authorising officer's interest	Nil
Name of applicant / respondent	Not applicable
Date report written	11 June 2021
Previous meeting reference	Agenda item 11.1 (Minute 72/2021) ordinary council meetings 17 December 2019

Summary

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

Background

The best practice in governance supports the regular review of Council Decisions to ensure they are actioned and implemented in a timely manner.

Comment

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

This report presents a summary of the "Decision Status Reports" for Office of the CEO, Corporate Services, Infrastructure Services, People and Place and Projects and Procurement.

Attachment 11.1A

Consultation

Executive Leadership Team

Statutory environment

Local Government Act 1995
Section 2.7 – Role of council

- “(1) The council —*
(a) governs the local government’s affairs; and
(b) is responsible for the performance of the local government’s functions.
(2) Without limiting subsection (1), the council is to —
(a) oversee the allocation of the local government’s finances and resources;
and
(b) determine the local government’s policies.”

Notwithstanding the above section of the Act, there is no specific legal requirement to present such a report to Council or for Council to receive or consider such a report. Given it is always ‘received’, it could simply be provided to elected members via weekly or monthly updates, such as in the weekly Information Bulletin.

The decision to retain the report in the Council’s monthly agenda is entirely Council’s prerogative. Staff acknowledge the critical and ongoing nature of the document, in Council ‘speaks by resolution’.

Financial implications

There are no known financial implications for this matter.

Strategic implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 05 Inspiring Governance
Objective 1 Effective planning for the future
Objective 4 Exemplary team and work environment

Risk management

Risk has been assessed based on the Officer Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan
Financial	Unlikely (2)	Insignificant (2)	Low (2)	No noticeable regulatory or statutory impact	Accept officer recommendation

The following Risk Matrix has been applied:

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix.

The perceived level of risk is low due to the financial value of the project and the risk to the Shire's reputation. Monthly reporting to Council assists with monitoring actions being undertaken.

Policy implications

There are no known policy implications for this matter.

Voting requirement

Simple Majority

Councillor interest declarations

Nil

Officer recommendation

That with respect to the Council Decisions Status Report for the month of May 2021, Council receive the report, as included in Attachment 11.1A.

Council Decision	91/2021
Moved	Cr K White
Seconded	Cr D Diver
That the meeting proceeds to the next item of business.	
Reason for differing resolution – The Status Report was not distributed in a timely manner for Councillors to give due consideration.	
Carried 8/0	

11.2 Staff Accommodation Strategy 2020 – 2030

File reference	PE06
Author's name	J Fell
Author's position	Manager Land and Asset Compliance
Author's interest	Nil
Authorising officer's name	K Donohoe
Authorising officer's position	Chief Executive Officer
Authorising officer's interest	Financial
Name of applicant / respondent	Not applicable
Date report written	1 April 2021
Previous meeting reference	Agenda item 13.2 (Minute 727/2019) ordinary council meeting 17 December 2019

Confidential matters

Some attachments relating to this report are considered confidential in accordance with section 5.23 (2) of the *Local Government Act 1995* because they deal with matters of –

- a. 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, and
- b. Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

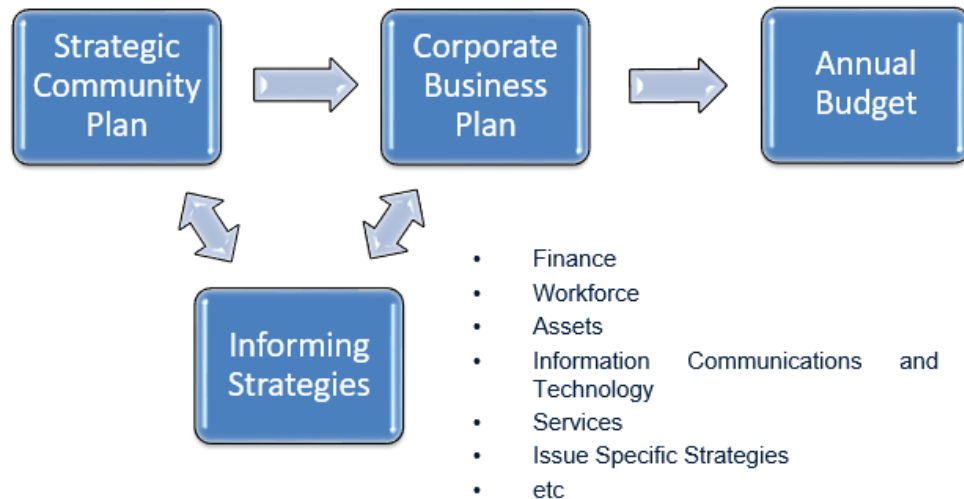
Summary

To establish the strategic direction for the provision of staff accommodation and to inform the Long-Term Financial Plan (LTFP) over the next ten years, a Staff Accommodation Strategy (SAS) for 2020 – 2030 is presented for Council's consideration.

Background

A local government is to a plan for the future of the district in accordance with section 5.56 of the *Local Government Act 1995* through preparation of a Strategic Community Plan and Corporate Business Plan. A Corporate Business Plan is to 'develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning'.

Developed alongside the staff growth forecasts, and to inform the LTFP, the SAS addresses future planning and sustainability of suitable accommodation needs for current and future Shire staff.



At the December 2019 Ordinary Meeting of Council, Councillors endorsed that with respect to the Housing Strategy 2020-2025, Council:

1. Adopt the Housing Strategy 2020-2025; and
2. Endorses allowance for annual expenditure of \$3,177,920.00 over the next 5-year period, or an acceptable amount, in accordance with the Housing Strategy projections.

The annual expenditure outlined in the 2020-25 Housing Strategy was removed from the 2020/21 budget for reasons unknown to current Shire Officers. All maintenance during 2020/21 has been performed through Operational Budget allocations. Council endorsed a \$600,000 budget amendment in October 2020 to allow purchase of an executive style house in Tom Price. To date, this has not been achieved due to the type of accommodation being listed as poor quality.

To establish the strategic direction for the provision of staff accommodation and to inform the LTFP over the next ten years, consultants Moore Australia and Hatch Roberts Day were engaged to prepare a SAS. The consultant was required to:

1. Quantify and profile current staff and accommodation provision
Comprehensive analysis; evaluation and reporting of current staff's accommodation provision for Tom Price, Onslow, and Paraburdoo.
2. Forecast staff growth and decline for each year from 2020 through to 2030
Comprehensive analysis, evaluation and reporting of staff forecast requirements for Tom Price, Onslow, and Paraburdoo.
3. Determine the number and type of accommodation required to meet staff forecasts
Comprehensive analysis, evaluation, and reporting of detailed accommodation demand requirement for Tom Price, Onslow, and Paraburdoo.

4. Develop land and accommodation strategies to meet the identified demand
10-year Strategy for accommodation provision to meet forecast demand requirements.

Comment

The Shire has maintained a staff level of approximately 180 employees for the last five years, with staff located in various locations. Of the 100 properties that accommodate staff, 56 are owned by the Shire, 29 are Rio Tinto properties (managed by Sodexo), 13 are private rentals and 1 is rented from the Housing Authority. 46% of staff receive no assistance for housing from the Shire, they instead benefit from spousal accommodation provisions. Should a change of circumstances occur in the spouse's employer the Shire is not currently able to offer these staff accommodation, further exacerbating the housing provisions. Recruitment of staff continues to be impacted by limited or inadequate housing stock.

Quality accommodation when recruiting is important.

Three key demand drivers influence future staff accommodation growth:

1. Replacement of existing rental properties
Competition in the rental market impacts on the Shire's budget. If Council desire immunity from these cycles, replacing rental stock requires an additional 44 accommodation units to be constructed across the Shire.

During 2019/20, rentals cost \$714,448 (Onslow - \$219,276 [19 rentals], Tom Price - \$462,189 [31 rentals], Paraburdoo - \$32,983 [2 rentals]).

Rent relief is provided to staff who secure private rentals at the rates shown in the table below. With rental prices increasing across the Shire due to the upturn in the resources sector, this is not sufficient to cover rent per annum disincentivising staff from seeking private rentals, instead turning to the Shire for accommodation provision.

Town	Maximum Value	52 weeks
Onslow	\$550.00	\$28,600
Tom Price	\$600.00	\$31,200
Paraburdoo	\$400.00	\$20,800
Pannawonica	\$300.00	\$15,600

2. Accommodation for current vacant positions
21.5 FTEs were advertised at the time of compiling the Staff Growth Forecast report. Assuming a ratio of 100:115, 19 accommodation units would be required to fill the vacancies.

3. Accommodation for staff growth or changes in the percentage of housed staff.

Staff growth numbers were developed with the Executive Leadership Team and Managers by analysing current and potential future projects over the next five years and roles required during an integrated strategic planning and reporting workshop; additional full-time employees will be required.

Confidential Attachment 11.2C

Four main demand drivers for accommodation were identified:

1. Additional stock to accommodate existing vacant positions
2. Additional stock for staff growth forecasts
3. Replacing existing rentals with Shire owned properties
4. Additional stock to accommodate a higher percentage of staff

The SAS includes the following Guiding Principles regarding the Shire's policies:

- Invest in a system that will improve the efficiency and effectiveness of the Capital Works and Maintenance Programs.
- Strengthen property management policies and procedures to provide fairness, equity, and accountability.
- Ensure housing refurbishments and new builds consider climate responsive design that better suits lifestyle needs, is comfortable to live, and achieves greater cost efficiencies.
- Leverage Shire investment to support broader economic activity and improve lifestyle and amenity outcomes.

Actions to make improvements to the Shire's processes include:

Property Management

1. Ensure staff have the Systems and Resources to properly manage the portfolio, including maintenance planning, asset and tenant information, and financial systems.
2. Progress a thorough Condition Assessment for all properties in Tom Price and Paraburdoo, particularly those earmarked for full and partial refurbishment.

The assessment should include a Statutory Compliance Register to adhere to relevant mandatory requirements such as hard-wired smoke alarms, RCD's, pool fences etc.

3. Prepare a Property Refurbishment Framework to guide and inform all future Capital Upgrades, for aging properties in Onslow, Tom Price and Paraburdoo.
4. Prepare and implement a Preventative Maintenance Program for all properties owned by the Shire, including new builds.

5. Prepare a Maintenance Budget that gives due consideration to all assets, including:
 - existing assets to be maintained,
 - new builds / newer properties,
 - existing assets to be upgraded or refurbished ('minimum maintenance'), and
 - existing assets identified for inclusion in special maintenance programs and initiatives (such as Landscaping, Insulation etc.).

Lease Agreements

1. Reconsider the option to charge staff a minimal rent vs free rent, to address the risks and accountability. Consideration would be given to existing employee contracts with any current arrangements are grandfathered (exempting current staff from the changes).
2. Ensure current Lease Agreements are in place between the Shire and all tenants.
3. Establish regular reviews and inspections to ensure property conditions are adhered to.
4. Establish a policy to ensure a consistent and fair approach is in place, in relation to rent subsidies. Consider provisions for 'capped' rent, which could be subject to annual market review.
5. A recommended guide or 'capped' rent for each town, based on reasonable market rates and current market reviews, would help to manage issues of equity and fairness.

Acquisitions / Rental Replacement

1. Before acquiring, ensure there is a healthy mix of housing options to suit varying needs of staff in the medium and long term.
2. If the land is vacant or a redevelop proposition, consider obtaining a high-level site plan concept from a building designer experienced in passive solar design, to better understand the site's suitability.
3. Monitor boom and bust cycle prices over the long-term and consider strategic purchases of land in suppressed markets (even if short-term need for acquisition is not apparent).

These are further explored by town:

Tom Price and Paraburdoo

Guiding Principles

- Upgrade / rebuild existing properties in poor condition.
- Build portfolio to lessen reliance on rental properties.
- Invest in larger and smaller dwellings to diversify housing stock in Town.
- Explore Housing Benefit Initiatives (to encourage home ownership and balance out the rental market).

Strategic Opportunities

1. Continue dialogue with Gumala and other Not for Profit organisations to understand, support and possibly explore joint development opportunities on undeveloped land (i.e., along Warrara Street and other 'lazy-land' sites).
2. Explore partnership opportunities with the State Government to invest in commercial and residential opportunities to address the crisis for essential services and open opportunities to diversify the local economy (Development WA, Department of Communities).

Shire Officers are exploring a 1000 lot development to future proof Tom Price from a town planning perspective. A land assessment undertaken in late 2020 sets out the infill potential in Tom Price which could be developed by State Agencies alone or in partnership with the Shire.

3. Partner with key stakeholders, such as Rio Tinto, to lobby and advocate for the necessary support structures and investment platforms that will progress the transition towards a diversified economy, and secure a future beyond Mining, for Tom Price and Paraburdoo.
4. Invest in new community infrastructure in all areas of Town, to improve amenity, uplift property values and enhance liveability (i.e., Area W).
5. Investigate housing suppliers that can provide relatively affordable 'kit homes' that can be orientated and slightly modified to suit local conditions.

Actions

1. Conduct a property condition assessment to thoroughly evaluate the condition of all properties in Tom Price and Paraburdoo.
2. Establish a 'Refurbishment Framework' to guide and prioritise capital works.

3. Progress discussions with Gumala and the State Government to initiate Joint Development Opportunities for Tom Price, address the Town's housing shortage for essential workers, and build a more diverse and modern range of housing stock.
4. Maintain open dialogue with key developers in Town, to understand building programs and leverage cost sharing opportunities, where possible.
5. Commence 'designated' works that will have an immediate and positive impact on property values and assist with cost-saving measures (i.e., landscaping, insulation, hot water systems).
6. Seek quotations and commence upgrades for properties in Tom Price and Paraburdoo, identified as 'high' and 'medium' priority (2 x properties p.a.)
7. Progress demolition and initiate a tender to construct new housing at 61 Pine Street Tom Price (explore 2 x 2 and 4 x 2).
8. Explore purchase opportunities for surplus housing stock with Rio Tinto, together with a position statement that demonstrates a joint commitment to grow and support a stronger and resilient Town.
9. Test 'lazy land' sites through concept designs and feasibilities.

Onslow

It is expected Onslow will require a larger staffing presence due to the high expectation of economic growth, and its flow-on effect, in the coming years.

Guiding Principles

- Invest in land now, while prices are still reasonable.
- Consider larger dwellings to help attract more families to town (3 x 2 + 4 x 2).
- Explore Housing Benefit initiatives (to encourage home ownership and balance out the rental market).
- Invest in houses / block sizes that leverage the coastal location (i.e., larger block sizes, space for boats).

Strategic Opportunities

- Maintain open dialogue with the Department of Communities (Housing). Work closely with the Department to potentially pursue value for money acquisition opportunities, and possible joint development projects to achieve cost efficiencies.
- Continue to work with Development WA, to secure value for money land opportunities at Barrarda Estate.
- Continue to encourage more retirees to age in place within the Shire.

- As population grows, advocate for a stand-alone high school and improved health services.

Actions

1. Demolish and replace the Transit House (transition strategy required).
2. Demolish existing 3 x properties on Third Avenue and build new houses on Third Avenue.
3. Upgrade Heritage Property on 944 First Avenue.

Listed on the June 2019 Local Government Heritage Inventory with the management recommendation stating, 'encouragement should be given to the retention and conservation of the place' and 'photographically record prior to major development or demolition'.

4. Progressively invest in vacant land, and aged properties within well sought-after locations (1 x lots p.a.).
5. Undertake minimum refurbishments on long term strategic assets (waterfront properties).
6. In the medium to longer term, explore design ideas and cost implications to invest in a multi-density apartment development on the Shire's existing waterfront properties (First Avenue). The property could be utilised for short term contractors, visiting staff or Executive Accommodation.

The SAS provides valuable insight into current and speculated financial costs associated with providing suitable accommodation to Shire staff. The SAS will provide clear direction for Shire Officers to follow with the aim of achieving a level of accommodation that will not only provide staff with comfortable efficient accommodation but assist with attraction and retention of qualified staff.

Based on the recommendations of the SAS, the following program is proposed with a total of \$21,000,000 included in the LTFP from 2021/22 through 2031/32 inclusive. This investment will result in 26 accommodation gains (19 in Onslow while replacing current aged stock and 7 in Tom Price) and 12 refurbished properties (2 in Paraburdoo and 10 in Tom Price).

Attachment 11.2A

Rio Tinto have offered six residential dwellings requiring refurbishment in Tom Price for ~\$250,000 per property. Purchase and refurbishment of these properties is not feasible due to the considerable costs involved, with refurbishment being circa \$300,000 (excluding environmental improvements, roofing, landscaping), therefore new builds on land the Shire have tenure over, and where multiple dwellings per lot can be achieved, is recommended.

Attachment 11.2B

Consultation

Councillors
Executive Leadership Team
Middle Managers Group
Lease and Accommodation Officers
Moore Australia
Hatch Roberts Day

Statutory environment

Local Government Act 1995

Section 5.56. Planning for the future

1. A local government is to plan for the future of the district.
2. A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Financial implications

\$21,000,000 has been included in the LTFP for staff housing acquisitions and refurbishments. This allocation, over a ten-year period from 2021/22 – 2031/32, is as follows:

2021/22	\$3,000,000
2022/23	\$2,000,000
2023/24	\$2,000,000
2024/25	\$ -
2025/26	\$2,000,000
2026/27	\$2,000,000
2027/28	\$2,000,000
2028/29	\$2,000,000
2029/30	\$2,000,000
2030/31	\$2,000,000
2031/32	\$2,000,000

Strategic implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 05 Inspiring Governance
Objective 1 Effective planning for the future
Objective 4 Exemplary team and work environment

Risk management

Risk has been assessed based on the Officer Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan
Financial	Unlikely (2)	Major (4)	Moderate (8)	\$1 million to \$5 million (per annum)	Inclusion in the LTFP and delivery of the program
Interruption to service	Likely (4)	Extreme (5)	Extreme (20)	Indeterminate prolonged interruption of services, non-performance, > 1 month	Initiate actions as captured in the SAS

The following Risk Matrix has been applied:

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix.

The perceived level of risk is high, however will be managed through internal processes and procedures.

Policy implications

ENG13 Asset Management Policy

Voting requirement

Simple Majority

Councillor interest declarations

Cr K White	-	Proximity
Cr D Diver	-	Financial
Cr M Lynch	-	Indirect financial
Cr L Rumble	-	Financial
Cr D Dias	-	Indirect financial

Cr M Gallanagh - Indirect financial

Officer recommendation

That with respect to Staff Accommodation Strategy 2020 – 2030, Council:

1. Adopt the Staff Accommodation Strategy 2020 – 2030 as included in Attachment 11.2A,
 2. Requests the Chief Executive Officer to prepare development plans and construction business cases for:
 - a. Third Avenue, Onslow, demolition, and construct four 3x2 dwellings,
 - b. 2, 3 x 2 grouped dwellings at 76 Marrinup Way, Tom Price, and
 - c. Upgrades / refurbishment of 797 Kulai Street, Tome Price and 1104A Jabberup Place, Tom Price,
- and
3. Consider the allocation of \$3,000,000 in the 2021-2022 annual budget deliberations.

Council Decision

The quorum required for the meeting to continue, and consider this item, could not be met (as per Section 5.19 of the Local Government Act 1995). Council proceeded to the next item of business.

11.3 *Mining Act 1978* tenement referrals – 1 February 2021 to 31 March 2021

File reference	ED01
Author's name	J Fell
Author's position	Manager Land and Asset Compliance
Author's interest	Nil
Authorising officer's name	K Donohoe
Authorising officer's position	Chief Executive Officer
Authorising officer's interest	Nil
Name of applicant / respondent	Not applicable
Date report written	31 March 2021
Previous meeting reference	Agenda item 12.4 (Minute 9/2021) ordinary council meeting 16 February 2021

Summary

The purpose of this report is to inform Council, for information, of Notices of Application for tenure under the *Mining Act 1978*.

Background

It is a requirement of the *Mining Regulations 1981* (Mining Regs) that application for mining tenements be in the prescribed form, being a Form 21, and lodged within 10 days of marking out (by fixing a post projecting at least 1 m above the ground along with other prescribed actions as per Division 1 – Marking out mining tenements of the Mining Regs).

A notice in the form of Form 21 is to be served on the Chief Executive Officer of the local government within 14 days of the lodging of the application to which the notice relates.

The period for lodgement of an objection concerning an application over private land is within 21 days of service of the Form 21 or the date notified on the Form 21, whichever is the longer period.

Comment

Mining tenements prescribed under the *Mining Act 1978* include prospecting licences, exploration licences, retention licences, mining leases, general purpose leases and miscellaneous licences.

The Shire receives varying numbers of Form 21 Applications for Mining Tenement each month. Therefore, Shire Officers undertake an assessment of each Notification with any concerning Applications referred to Council. The due diligence assessment includes, and is not limited to:

- Affected Shire assets:
 - Will the licence generate traffic volumes that significantly affect Shire roads
 - Borrow pits
- Bushfire back burning areas
- Aboriginal heritage sites
- Special Control Areas as per the Local Planning Scheme No. 7
 - Wittenoom a particular concern
- Areas used for public recreation
- Land identified for future use or development (landfill, tourism, etc.)
- Traffic management if operating near roads used by travelling public
- Identify landowner/pastoral company
- Identify Aboriginal groups
- European heritage sites – municipal inventory
- Proximity to:
 - Telecommunications
 - Electricity
 - Water
 - Gas pipelines
- General notification of possible permanent and temporary camps

Thirty-eight (38) Form 21 - Application for Mining Tenement notifications were received between 1 February 2021 and 31 March 2021.

Attachment 11.3A

Exploration Licences

The Mining Regs impose a limit on the amount of earth, soil, rock, stone, fluid, or mineral bearing substance which may be excavated, extracted, or removed to 1,000 tonnes in total. Excavation, extraction, or removal more than this requires the Ministers written approval.

The Mining Act prescribes an exploration licence shall not be less than one block or more than 70 blocks, unless is in an area of the Sate designated under section 57A (1) (permits the Minister, by notice published in the *Gazette*, to designate one or more areas of the State) it shall not be more than 200 blocks. A block has a lengthy definition in the Mining Act but is generally a graticular section (1 minute of longitude and 1 minute of latitude) or approximately 3.407716km².

Exploration Licence notifications received include:

Company	Application	Block / s (~80km ²)	Locality
FMG Pilbara Pty Ltd	E 08/3338	85	Uaroo 1
Avira Resources Ltd	E 08/3329	26	Gregory
Rio Tinto Exploration Pty Limited	E 08/3335	39	Cheela Plains
	E 47/4497	20	Cheela Plains
	E 47/4502	69	Toweranna Well
	E 47/4510	70	Lefroy Well
	E 47/4515	62	Quarrina
	E 47/4513	47	Peawanah
Mallina Exploration Pty Ltd	E 47/4504	46	Munni Creek
Forge Resources Swan Pty Ltd	E 47/4503	54	Peawah
	E 47/4506	96	
	E 47/4507	132	
One Eight Two Capital Investments Pty Ltd	E 47/4508	47	Coolawanyah
	E 47/4511	62	
	E 47/4514	49	
	E 47/4516	70	

Mining Leases

The following kinds of mining operations are prescribed in the Mining Regs:

- open-cut operations
- underground operations
- quarrying operations
- dredging operations
- harvesting operations
- scraping operations
- leaching operations
- tailing treatment operations
- Construction activities incidental or conducive to mining operations, including the construction of plant, tailing storage facilities and overburden dumps.

Mining Lease notifications received are:

Company	Application	Hectares	Locality	Mineral
FMG Pilbara Pty Ltd	M 47/1613	1,005.00	Gamajee	Iron Ore

Miscellaneous Licences

A miscellaneous licence may be granted for use of land for one or more of the following purposes:

- A road
- A tramway
- An aerial rope way

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- A pipeline
- A powerline
- A conveyor system
- A tunnel
- A bridge
- Taking water
- A search for groundwater
- Hydraulic reclamation and transport of tailings
- An aerodrome
- A meteorological station
- A Sulphur dioxide monitoring station
- A communications facility
- A drainage channel
- A pump station
- A minesite accommodation facility
- A bore
- A bore field
- A water management facility
- A power generation and transmission facility
- A storage or transportation facility for minerals or mineral concentrate
- A minesite administration facility
- A workshop and storage facility
- A jetty.

Miscellaneous Licence notifications received are:

Company	Application	Hectares	Locality	Purpose
Pilbara Energy Company Pty Ltd (FMG)	L 08/239	630.00	Uaroo	<ul style="list-style-type: none"> - A bore - A bore field - A communications facility - A pipeline - A power generation and transmission facility - A power line - A pump station - A water management facility - A workshop and storage facility - Taking water
Pilbara Energy Company Pty Ltd (FMG)	L 08/241 L 08/242 L 08/243 L 08/244	268.00 634.00 74.00 95.00	Uaroo Nanutarra	<ul style="list-style-type: none"> - A bore - A bore field - A communications facility - A pipeline - A power generation and transmission facility - A power line - A pump station - A water management facility

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Company	Application	Hectares	Locality	Purpose
				<ul style="list-style-type: none"> - A workshop and storage facility - Taking water
Orion Equities Limited	L 47/980	62.60	Paulsens	<ul style="list-style-type: none"> - A bore - A bore field - A communications facility - A drainage channel - A minesite administration facility - A pipeline - A road - A search for groundwater - A storage or transportation facility for minerals or mineral concentrate - A water management facility - A workshop and storage facility - Taking water
Orion Equities Limited	L 47/981	465.04	Paulsens	<ul style="list-style-type: none"> - A bore - A bore field - A communications facility - A conveyor system - A drainage channel - A minesite accommodation facility - A minesite administration facility - A pipeline - A power generation and transmission facility - A pump station - A road - A search for groundwater - A storage or transportation facility for minerals or mineral concentrate - A water management facility - A workshop and storage facility - Taking water
CV Extractives Pty Ltd	L 45/610	22.00	Forrest / Mulga Downs	<ul style="list-style-type: none"> - A road
ACN 629 923 753 Pty Ltd (Mineral Resources)	L 08/231 L 08/232	4,893.57 1,597.88	Red Hill	<ul style="list-style-type: none"> - A bore - A bore field - A bridge - A communications facility - A drainage channel - A pipeline - A power generation and transmission facility - A power line - A pump station - A road - A search for groundwater

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Company	Application	Hectares	Locality	Purpose
				<ul style="list-style-type: none"> - A tunnel - A water management facility - Taking water
Pilbara Energy (Generation) Pty Ltd	L 08/246 L 08/245 L 08/240 L 08/238 L 08/235 L 08/236 L 08/237	2,207.00 2,330.00 4,798.00 2,275.00 4,109.00 2,068.00	Uaroo B2 Uaroo C1 Uaroo C2 Uaroo C3 Uaroo C4 Uaroo C5 Uaroo C6	<ul style="list-style-type: none"> - A bore - A bore field - A communications facility - A pipeline - A power generation and transmission facility - A power line - A pump station - A road - A water management facility - A workshop and storage facility - Taking water
AMCI (IO) Pty Ltd Aquila Steel Pty Ltd	L 08/247	392.09	Kens Bore	<ul style="list-style-type: none"> - A bore - A bore field - A bridge - A communications facility - A drainage channel - A pipeline - A power generation and transmission facility - A power line - A pump station - A road - A search for groundwater - A tunnel - A water management facility - Taking water
Red Hill Iron Limited	L 08/248 L 08/249	440.00 690.00	Yarraloola Red Hill	<ul style="list-style-type: none"> - A road - A pipeline - A power line - A storage or transportation facility for minerals or mineral concentrate

Prospecting Licences

Prospecting licences are granted subject to conditions including minerals of economic interest discovered be reported to the Minister; that no ground disturbing equipment be used unless a programme of work has been approved by the Minister; that disturbances to the surface of the land the subject of the prospecting licence is made safe; and the licence holder takes steps to prevent fire and damage to trees, property, or livestock.

A prospecting licence remains in force for a period of four years. This may be extended by the Minister for four years or, where retention status is nominated, a further period or periods of four years.

A prospecting licence will not be granted in respect of land subject to a mining tenement however, the holder of a prospecting licence has priority for grant of mining leases or general-purpose leases.

Prospecting Licence notifications received are:

Company	Application	Hectares	Locality
ACN 629 923 753 Pty Ltd (Mineral Resources)	P 08/799	59.79	Ashburton

General Purpose Leases

A general-purpose lease may be granted for one or more of the following purposes:

- For erecting, placing and operating machinery thereon in connection with the mining operations carried on by the lessee in relation to which the general-purpose lease was granted.
- For depositing or treating thereon minerals or tailings obtained from any land in accordance with this act.
- For using the land for any other specified purpose directly connected with mining operations.

A general-purpose lease is in place until:

- It is surrendered or is forfeited; or
- The date of surrender, forfeiture, or expiry of the mining lease (or any renewal thereof) in relation to which it was granted or 21 years from the date deemed pursuant to section 79 to be the date on which the term of the general-purpose lease commenced or, if any other date of commencement is specified in the general-purpose lease, the specified date, whichever is the longer period; or
- In any other case, for a period of 21 years or until it is sooner surrendered or forfeited.

A general-purpose lease may be extended for one further period of 21 years on the terms and conditions to which the lease was granted.

General-Purpose Lease notifications received are:

Company	Application	Hectares	Locality	Purpose
Nil				

For note

Miscellaneous Licences 08/248, 08/249, 08/231 and 08/232 and Prospecting Licence 08/799 encroach or utilise the Shire controlled and managed Red Hill Road. Applicants ACN 629 923 753 Pty Ltd and Red Hill Iron Limited's proposals appear to be consistent with the Shire of Ashburton's strategic aims and objectives however, the Shire should be satisfied of the Public

Road's use and maintenance while retaining unrestricted public access and safety of the roads. An Agreement for the design, construction, and maintenance of Red Hill Road to include the following requirements (but not limited to) will be required:

- Establishing RAV rating required to inform width and integrity.
- Road design including specifications including signage etc.
- Shire inspection schedule.
- Construction materials and testing.
- Construction term.
- Maintenance term.
- Insurance.
- ACN 629 923 753 Pty Ltd and Red Hill Iron Limited being responsible for all costs (including Shire costs) associated with the preparation and implementation of the Agreement.

Alternatively, should the Shire be responsible for maintenance of Red Hill Road, an adequate fee will be required from ACN 629 923 753 Pty Ltd and Red Hill Iron Limited to contribute to ongoing maintenance costs associated with use of the road.

Section 64B of the Mining Regulations requires the Notice of application for mining tenement be given to the holder of a pastoral lease, or other lease granted by or on behalf of the Crown for grazing purposes only.

Consultation

Executive Leadership Team

Statutory environment

PART IV -- Mining tenements of the Mining Act 1978 set out the grant and conditions of mining tenements in Western Australia.

Mining Regulations 1981

Regulation 64, Application for mining tenement of the Mining Regulations 1981 (Mining Regs) states application for mining tenements must be in the prescribed form, being a Form 21 and copies served in accordance with 33 (Application for mining by permit holder), 41 (Application for prospecting licence), 56A (Special prospecting licences), 58 (Application for exploration licence), 70 (Special prospecting licence on an exploration licence), 74 (Application for mining lease), 85B (Special prospecting licence on a mining lease), 91 (Grant of miscellaneous licence) and 118 (Notice of application to be given to lessee of pastoral lease) of the *Mining Act 1978*.

Financial implications

There are no known financial implications for this matter.

Strategic implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 02 Economic Prosperity
Objective 1 Strong local economies

Goal 04 Quality Services and Infrastructure
Objective 1 Quality public infrastructure

Risk management

Risk has been assessed based on the Officer Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan
Damage to natural environment – social performance responsibilities to the community at large	Rare (1)	Moderate (3)	Low (3)	Natural Environment – contained, reversible impact managed by external agencies	Correspondence to all Applicants advising Shire's required considerations
Financial impact to assets (Red Hill Road)	Major (4)	Possible (3)	High (12)	Damage to road or liability for unsafe road	Where asset implications are identified, user agreements will be initiated

The following Risk Matrix has been applied:

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix.

The perceived level of risk is high due to potential litigation associated with unsafe roads. User agreements for maintenance or contribution to maintenance costs will see the roads maintained in a safe, trafficable state.

Policy implications

Town Planning Scheme No. 7
LPP – Transient Workforce Accommodation

Voting requirement

Simple majority

Councillor interest declarations

Cr K White	-	Proximity
Cr D Diver	-	Financial
Cr M Lynch	-	Indirect financial
Cr L Rumble	-	Financial
Cr D Dias	-	Indirect financial
Cr M Gallanagh	-	Financial
Cr J Richardson	-	Proximity

Officer recommendation

That with respect to *Mining Act 1978* Tenement Referrals – 1 February 2021 to 31 March 2021, Council:

1. Acknowledge the contents of this report,
2. Advise the Department of Mines, Industry Regulation and Safety of the Shire of Ashburton's request to negotiate terms of agreement with ACN 629 923 753 Pty Ltd in relation to Miscellaneous Licences 08/248, 08/249, 08/231 and 08/232 and, Red Hill Iron Limited in relation to Prospecting Licence 08/799, and
3. Negotiate terms of agreement with ACN 629 923 753 Pty Ltd in relation to Miscellaneous Licences 08/248, 08/249, 08/231 and 08/232 and, Red Hill Iron Limited in relation to Prospecting Licence 08/799.

Council Decision

The quorum required for the meeting to continue, and consider this item, could not be met (as per Section 5.19 of the Local Government Act 1995). Council proceeded to the next item of business.

11.4 *Mining Act 1978* tenement referrals – 1 April 2021 to 30 April 2021

File reference	ED01
Author's name	J Fell
Author's position	Manager Land and Asset Compliance
Author's interest	Nil
Authorising officer's name	K Donohoe
Authorising officer's position	Chief Executive Officer
Authorising officer's interest	Nil
Name of applicant / respondent	Not applicable
Date report written	3 May 2021
Previous meeting reference	Agenda item 12.4 (Minute 9/2021) ordinary council meeting 16 February 2021

Summary

The purpose of this report is to inform Council, for information, of Notices of Application for tenure under the *Mining Act 1978*.

Background

It is a requirement of the *Mining Regulations 1981* (Mining Regs) that application for mining tenements be in the prescribed form, being a Form 21, and lodged within 10 days of marking out (by fixing a post projecting at least 1 m above the ground along with other prescribed actions as per Division 1 – Marking out mining tenements of the Mining Regs).

A notice in the form of Form 21 is to be served on the Chief Executive Officer of the local government within 14 days of the lodging of the application to which the notice relates.

The period for lodgement of an objection concerning an application over private land is within 21 days of service of the Form 21 or the date notified on the Form 21, whichever is the longer period.

Comment

Mining tenements prescribed under the *Mining Act 1978* include prospecting licences, exploration licences, retention licences, mining leases, general purpose leases and miscellaneous licences.

The Shire receives varying numbers of Form 21 Applications for Mining Tenement each month. Therefore, Shire Officers undertake an assessment of each Notification with any concerning Applications referred to Council. The due diligence assessment includes, and is not limited to:

- Affected Shire assets:
 - Will the licence generate traffic volumes that significantly affect Shire roads
 - Borrow pits
- Bushfire back burning areas
- Aboriginal heritage sites
- Special Control Areas as per the Local Planning Scheme No. 7
 - Wittenoom a particular concern
- Areas used for public recreation
- Land identified for future use or development (landfill, tourism, etc.)
- Traffic management if operating near roads used by travelling public
- Identify landowner/pastoral company
- Identify Aboriginal groups
- European heritage sites – municipal inventory
- Proximity to:
 - Telecommunications
 - Electricity
 - Water
 - Gas pipelines
- General notification of possible permanent and temporary camps

Ten (10) Form 21 - Application for Mining Tenement notifications were received between 1 April and 30 April 2021.

Attachment 11.4A

Exploration Licences

The Mining Regs impose a limit on the amount of earth, soil, rock, stone, fluid, or mineral bearing substance which may be excavated, extracted, or removed to 1,000 tonnes in total. Excavation, extraction, or removal more than this requires the Ministers written approval.

The Mining Act prescribes an exploration licence shall not be less than one block or more than 70 blocks, unless is in an area of the Sate designated under section 57A (1) (permits the Minister, by notice published in the *Gazette*, to designate one or more areas of the State) it shall not be more than 200 blocks. A block has a lengthy definition in the Mining Act but is generally a graticular section (1 minute of longitude and 1 minute of latitude) or approximately 3.407716km².

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Exploration Licence notifications received include:

Company	Application	Block / s (~80km ²)	Locality
Central Pilbara North Iron Ore Pty Ltd	E 47/4524	69	Howlett Creek
One Eight Two Capital Investments Pty Ltd	E 47/4521	69	Peawah
Forge Resources Swan Pty Ltd	E 47/4520	69	Peawah
Rio Tinto Exploration Pty Limited	E 47/4523	9	Barrowanna Hill

Mining Leases

The following kinds of mining operations are prescribed in the Mining Regs:

- open-cut operations
- underground operations
- quarrying operations
- dredging operations
- harvesting operations
- scraping operations
- leaching operations
- tailing treatment operations
- Construction activities incidental or conducive to mining operations, including the construction of plant, tailing storage facilities and overburden dumps.

Mining Lease notifications received are:

Company	Application	Hectares	Locality	Mineral
Zanthus Resources Pty Ltd	M 08/533	582.00	Robe Mesa	Aggregate building stone Copper Diamond Dolomite Gold Gravel Gypsum Iron Ore Lead Limestone Manganese Mineral sands Nickel Platinoids Rock Sand Tantalum Zinc

Miscellaneous Licences

A miscellaneous licence may be granted for use of land for one or more of the following purposes:

- A road
- A tramway
- An aerial rope way
- A pipeline
- A powerline
- A conveyor system
- A tunnel
- A bridge
- Taking water
- A search for groundwater
- Hydraulic reclamation and transport of tailings
- An aerodrome
- A meteorological station
- A Sulphur dioxide monitoring station
- A communications facility
- A drainage channel
- A pump station
- A minesite accommodation facility
- A bore
- A bore field
- A water management facility
- A power generation and transmission facility
- A storage or transportation facility for minerals or mineral concentrate
- A minesite administration facility
- A workshop and storage facility
- A jetty.

Miscellaneous Licence notifications received are:

Company	Application	Hectares	Locality	Purpose
Orion Equities Limited	L 47/983	184.98	Paulsens	<ul style="list-style-type: none"> - A bore - A bore field - A communications facility - A pipeline - A road - A search for groundwater - A storage or transportation facility for minerals or mineral concentrate - Taking water
Maiden Iron Pty Ltd	L 47/982	188.00	The Three Sisters	<ul style="list-style-type: none"> - A road

Prospecting Licences

Prospecting licences are granted subject to conditions including minerals of economic interest discovered be reported to the Minister; that no ground disturbing equipment be used unless a programme of work has been approved by the Minister; that disturbances to the surface of the land the subject of the prospecting licence is made safe; and the licence holder takes steps to prevent fire and damage to trees, property, or livestock.

A prospecting licence remains in force for a period of four years. This may be extended by the Minister for four years or, where retention status is nominated, a further period or periods of four years.

A prospecting licence will not be granted in respect of land subject to a mining tenement however, the holder of a prospecting licence has priority for grant of mining leases or general-purpose leases.

Prospecting Licence notifications received are:

Company	Application	Hectares	Locality
Nil			

General Purpose Leases

A general-purpose lease may be granted for one or more of the following purposes:

- For erecting, placing and operating machinery thereon in connection with the mining operations carried on by the lessee in relation to which the general-purpose lease was granted.
- For depositing or treating thereon minerals or tailings obtained from any land in accordance with this act.
- For using the land for any other specified purpose directly connected with mining operations.

A general-purpose lease is in place until:

- It is surrendered or is forfeited; or
- The date of surrender, forfeiture, or expiry of the mining lease (or any renewal thereof) in relation to which it was granted or 21 years from the date deemed pursuant to section 79 to be the date on which the term of the general-purpose lease commenced or, if any other date of commencement is specified in the general-purpose lease, the specified date, whichever is the longer period; or
- In any other case, for a period of 21 years or until it is sooner surrendered or forfeited.

A general-purpose lease may be extended for one further period of 21 years on the terms and conditions to which the lease was granted.

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General-Purpose Lease notifications received are:

Company	Application	Hectares	Locality	Purpose
Yangibana Pty Ltd	G 08/95	132.00	Onslow South	<ul style="list-style-type: none"> - A storage or transportation facility for minerals or mineral concentrate - Administration buildings - Communications facility - Evaporation pond - Gas pipeline - Monitoring bores - Power generation - Power lines - Process plant and associated infrastructure - Roads and carpark - Tailings storage facility - Topsoil stockpile - Water bore - Water management infrastructure - Water pipeline - Workshop
Yangibana Pty Ltd	G 08/96	107.00	Onslow South	<ul style="list-style-type: none"> - A storage or transportation facility for minerals or mineral concentrate - Administration buildings - Communications facility - Evaporation pond - Gas pipeline - Monitoring bores - Power generation - Power lines - Process plant and associated infrastructure - Roads and carpark - Tailings storage facility - Topsoil stockpile - Water bore - Water management infrastructure - Water pipeline - Workshop
Yangibana Pty Ltd	G 08/97	100.00	Onslow South	<ul style="list-style-type: none"> - A storage or transportation facility for minerals or mineral concentrate - Administration buildings - Communications facility - Evaporation pond - Gas pipeline - Monitoring bores - Power generation - Power lines - Process plant and associated infrastructure

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Company	Application	Hectares	Locality	Purpose
				<ul style="list-style-type: none">- Roads and carpark- Tailings storage facility- Topsoil stockpile- Water bore- Water management infrastructure- Water pipeline- Workshop

For note

Three of the notifications for exploration licences (Central Pilbara North Iron Ore Pty Ltd E 47/4524, One Eight Two Capital Investments Pty Ltd E 47/4521, and Forge Resources Swan Pty Ltd E 47/4520), which are all for the same blocks, encroach Pannawonica – Millstream Road. The proposals appear to be consistent with the Shire of Ashburton's strategic aims and objectives however, the Shire should be satisfied of the Public Road's use and maintenance while retaining unrestricted public access and safety of the roads. An Agreement setting out the following will be required:

- Establishing RAV rating requirements to inform width and integrity,
- Road design including specifications including signage etc.,
- Shire inspection schedule,
- Construction materials and testing,
- Construction term,
- Maintenance term,
- Insurance; and
- Central Pilbara North Iron Ore Pty Ltd, One Eight Two Capital Investments Pty Ltd and Forge Resources Swan Pty Ltd being responsible for all costs (including Shire costs) associated with the preparation and implementation of the Agreement.

Alternatively, should the Shire be responsible for maintenance of Pannawonica – Millstream Road, an adequate fee will be required from Central Pilbara North Iron Ore Pty Ltd, One Eight Two Capital Investments Pty Ltd and Forge Resources Swan Pty Ltd to contribute to ongoing maintenance costs associated with their use of the road.

Consultation

Chief Executive Officer
Executive Leadership Team

Statutory environment

PART IV -- Mining tenements of the Mining Act 1978 set out the grant and conditions of mining tenements in Western Australia.

Mining Regulations 1981

Regulation 64, Application for mining tenement of the Mining Regulations 1981 (Mining Regs) states that application for mining tenements must be in the prescribed form, being a Form 21 and copies served in accordance with 33 (Application for mining by permit holder), 41 (Application for prospecting licence), 56A (Special prospecting licences), 58 (Application for exploration licence), 70 (Special prospecting licence on an exploration licence), 74 (Application for mining lease), 85B (Special prospecting licence on a mining lease), 91 (Grant of miscellaneous licence) and 118 (Notice of application to be given to lessee of pastoral lease) of the *Mining Act 1978*.

Financial implications

There are no known financial implications for this matter.

Strategic implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 02 Economic Prosperity
Objective 1 Strong Local Economies

Goal 4 Quality Services and Infrastructure
Objective 1 Quality Public Infrastructure

Risk management

Risk has been assessed based on the Officer Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan
Damage to natural environment – social performance responsibilities to the community at large	Rare (1)	Moderate (3)	Low (3)	Natural Environment – contained, reversible impact managed by external agencies	Correspondence to all Applicants advising Shire's required considerations
Financial impact to assets (Pannawonica – Millstream Road)	Major (4)	Possible (3)	High (12)	Damage to road or liability for unsafe road	Where asset implications are identified, user agreements will be initiated

The following Risk Matrix has been applied:

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix.

The perceived level of risk is "High" due to potential litigation associated with unsafe roads. User agreements for maintenance or contribution to maintenance costs will see the roads maintained in a safe, trafficable state.

Policy implications

Town Planning Scheme No. 7
LPP – Transient Workforce Accommodation

Voting requirement

Simple majority

Councillor interest declarations

Cr K White	-	Proximity
Cr D Diver	-	Financial
Cr M Lynch	-	Indirect financial
Cr L Rumble	-	Financial
Cr D Dias	-	Indirect financial
Cr M Gallanagh	-	Financial

Officer recommendation

That with respect to *Mining Act 1978* Tenement Referrals – 1 April 2021 to 30 April 2021, Council:

1. Acknowledge the contents of this report,
2. Advise Central Pilbara North Iron Ore Pty Ltd, One Eight Two Capital Investments Pty Ltd and Forge Resources Swan Pty Ltd that an Agreement for use of Pannawonica –

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Millstream Road in relation to Miscellaneous Licences E 47/4524, E 47/4521, and E 47/4520, and

3. Negotiate terms of agreement for use of Pannawonica – Millstream Road with Central Pilbara North Iron Ore Pty Ltd, One Eight Two Capital Investments Pty Ltd and Forge Resources Swan Pty Ltd in relation to Miscellaneous Licences E 47/4524, E 47/4521, and E 47/4520.

Council Decision

The quorum required for the meeting to continue, and consider this item, could not be met (as per Section 5.19 of the Local Government Act 1995). Council proceeded to the next item of business.

11.5 Land asset management

File reference	LP01
Author's name	J Fell
Author's position	Manager Land and Asset Compliance
Author's interest	Nil
Authorising officer's name	K Donohoe
Authorising officer's position	Chief Executive Officer
Authorising officer's interest	Nil
Name of applicant / respondent	Not applicable
Date report written	5 May 2021
Previous meeting reference	Nil

Confidential matters

Some attachments relating to this report are considered confidential in accordance with section 5.23 (2) of the *Local Government Act 1995* because they deal with matters of –

- a. 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, and
- b. Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

Summary

To provide a framework for ongoing property asset management of the Shire of Ashburton's (Shire) property portfolio, a Land Asset Assessment (LAA) has been prepared and is presented for Council's consideration.

Background

The LAA is intended to optimise property assets to achieve the maximum community benefit while informing a future Land Asset Management Plan.

An analysis of all Shire properties was required, including consideration of the Town Planning Scheme and other planning documentation, to recommend key strategic properties for development and identify opportunities for the public's benefit.

NS Group were appointed in July 2020 to undertake a land asset assessment across the Shire's land asset portfolio which included:

- Informing site particulars
- Impact of local planning scheme

- Commercial opportunities
- Site constraints
- Servicing requirements

NS Group's methodology included:

- Phase One – LAA
 - Inception meeting
 - Identify assets – strategic or commercial value
 - Site inspection (key assets only)
 - Site assessment (address, site plan, area, zoning, current use/improvements, surround precinct, contamination, historical, Indigenous significance etc.)
 - Review Local Planning Scheme to inform permitted land use for each site
 - Ascertain current community needs and strategic requirements to inform priority sites and or asset gaps
 - Identify opportunities and constraints
 - Prioritise assets
 - Outcome – asset assessment report, providing a summary of all assets (categorised), together with a more detailed assessment of the opportunities and constraints of the identified strategic assets and prioritisation of those that should proceed to the technical due diligence and feasibility stage. In addition, an Excel database of all Shire assets will be provided, documenting the site particulars of all assets, including land size, zoning, improvements etc.
- Optional Phase Two (Technical Due Diligence and Feasibility – Outcome: feasibility report which summarises the technical due diligence findings of each of the site investigations, the refined opportunities, and constraints of each of the site investigations, the refined opportunities, and constraints of each site recommendation as to which assets should proceed to the Business Case); and
- Optional Phase Three (Business Case including statement of need, alignment to government and strategic objectives, options development, concepts, capital cost estimates, risk analysis, programme, options analysis, delivery plan, funding strategy)

Comment

The LAA comprises 267 assets, consisting of a mix of:

- Built form (residential dwellings, community infrastructure, commercial office, or public open spaces - ~40%)
- Vacant land (residential lots, development sites and reserves or rural land - ~60%)

Of these assets, approximately:

- 40% are in Onslow (107)
- 14% are in Paraburdoo (38)
- 45% are in Tom Price (120)
- 1% are in regional or remote locations outside of the Shire's three main towns (2)

Each property is detailed in the LAA report with zoning, land area, current use, known agreements, potential alternate use, environmental constraints, Heritage constraints, other constraints, fair value (on 30 June 2020) and an overall recommendation. The intent of the

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recommendation is to consider current and future community/social benefit, tourism and economic potential, and environmental value. Each recommendation presents and opportunity however, actual implementation may vary depending on internal resources and external conditions.

The report focuses on freehold, and properties owned by the State (with Management Order issued to the Shire).

The assets have been classified into:

- Commercial
- Commercial development
- Community facility
- Infrastructure reserve
- Heritage site
- Industrial
- Industrial development
- Public open space (developed)
- Public open space (undeveloped)
- Residential development
- Rural
- Staff housing
- Tourism development

	Commercial	Commercial Development	Community Facility	Heritage Site	Industrial	Industrial Development	Infrastructure Reserve	POS (Developed)	POS (Undeveloped)	Residential Development	Rural	Staff Housing	Tourism Development
Onslow	5	5	12	24	3	5	12	7	-	11	7	12	4
Tom Price	3	4	22	-	2	2	23	12	14	10	3	24	1
Paraburdoo	5	-	5	-	1	-	6	6	3	2	-	10	-
Mount Sheila	-	-	-	-	-	-	1	-	-	-	1	-	-
Total	13	9	39	24	6	7	42	25	17	23	11	46	5

Attachment 11.5A

Research into the relevant property markets to identify potential land use requirements or demands, strategic projects or initiatives and commercial opportunities was undertaken with assessment criteria adopted to identify strategic value or opportunity. Quick wins/priorities identified are on Council's radar with acquisition of the following progressing –

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Lot	Street Name	Town	Brief Description	Classification	Shire Comment
3504	Second Avenue	Onslow	Irregular shaped, vacant site, with street frontage to the head of Second Avenue only	Tourism Development	Creation of Reserve under Shire management to allow access to Lot 381 and Reserve 32702 "Recreation"
341	Second Avenue	Onslow	Vacant, regular shaped, corner site, with secondary frontage to Third Street	Commercial Development	Acquisition completed
342	Second Avenue	Onslow	Vacant, regular shaped site	Commercial Development	Acquisition completed
381	Third Avenue	Onslow	Vacant, rectangular shaped site, with street frontage to the head of Third Avenue only	Tourism Development	Settlement Date 17 May 2021
395	Third Avenue	Onslow	Regular shaped site, improved with office / workshop buildings used as an ambulance depot	Residential Development	Transfer of Title progressing with DPLH
N/A	Third Avenue	Onslow	Triangular shaped vacant site, extending between Third Avenue and Second Avenue, at their north-western end	Tourism Development	Public road, potential change of use
247	Poinciana Street	Tom Price	Slightly irregular shaped site, having frontages to both Poinciana Street and Mine Road, improved with an older style office building	Commercial Development	Planned acquisition for Tom Price Admin Office expansion
292	Poinsettia Street	Tom Price	Triangular shaped, vacant site, located at the end of Poinsettia Street	Public Open Space (Undeveloped)	Creation of Reserve progressing with DPLH with Purpose to be "Staff Housing" or similar

NS Group recommend a staff housing strategy (completed however yet to be endorsed by Council) and public open space (POS) strategy (particularly for Tom Price) be undertaken to develop a formal Land Asset Management Plan. A POS strategy would identify any parcels surplus to the POS delivery, in consultation with the Department of Planning, Lands and Heritage, to ensure no impact on POS delivery.

Confidential Attachment 11.5B

Consultation

Chief Executive Officer
Executive Leadership Team
Planning Team

Statutory environment

Local Government Act 1995

'Section 3.58 of the LGA sets out the requirements to enable a local government to dispose of property, being by public auction (to highest bidder) or public tender (most acceptable tender) or by giving local public notice.'

Section 3.59 of the LGA sets out the procedure for acquisition and disposal of property as a major land transaction or major land undertaking, requiring the preparation (and advertising) of a business plan.'

Land Administration Act 1997

'The Land Administration Act 1997 ('LAA') is Western Australia's primary legislation dealing with the management of Crown land. The LAA is administered by the Minister for Lands ('Minister'), assisted by the Department of Planning, Lands and Heritage.

Part 4 of the LAA provides for the creation, administration, and management of reserves over Crown land / waters.

Under section 41 of the LAA the Minister may set aside Crown land as reserve for a particular purpose in the public interest. Every such reservation has a land description and designated purpose registered on a Crown Land Title ('CLT') and is graphically depicted on a plan or diagram held by Landgate.

Reserve tenure is usually applied to land that:

- a) holds intrinsic community value or is of high conservation value that should be preserved and maintained for the benefit of future generations;
- b) for core business/service delivery needs of general sector State agencies and local governments.'

Financial implications

Costs incurred to date include:

Phase	Fee (excl. GST)
Phase 1 Land Asset Audit	\$38,750
Phase 2 Technical Due Diligence and Feasibility	To be determined (Future Stage)
Phase 3 Business Case	To be determined (Future Stage)

The Procurement Policy will be adhered to when procuring a consultant to prepare a Public Open Space Strategy, with sufficient provision being made in the 2021/22 Budget.

Strategic implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 05 Inspiring Governance

Objective 1 Effective planning for the future

Risk management

Risk has been assessed based on the Officer Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan
Compliance	Rare (1)	Insignificant (1)	Low (1)	No noticeable regulatory or statutory impact	Adopt Officers Recommendation

The following Risk Matrix has been applied:

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix.

The perceived level of risk is "Low" and will be monitored through internal processes and procedures.

Policy implications

ENG13 Asset Management Policy

Voting requirement

Simple majority

Councillor interest declarations

Cr K White	-	Proximity
Cr D Diver	-	Financial
Cr L Rumble	-	Financial
Cr D Dias	-	Indirect financial
Cr M Gallanagh	-	Financial

Officer recommendation

That with respect to the Land Asset Assessment, Council:

1. Receives the Land Asset Assessment; and
2. Authorises the Chief Executive Officer to prepare a Public Open Space Strategy for consideration by Council.

Council Decision

The quorum required for the meeting to continue, and consider this item, could not be met (as per Section 5.19 of the Local Government Act 1995). Council proceeded to the next item of business.

11.6 Use of common seal, actions performed under delegated authority and the tender register for May 2021

File reference	GV21 / CM02
Author's name	D Walkington
Author's position	Acting Governance Officer
Author's interest	Nil
Authorising officer's name	K Donohoe
Authorising officer's position	Chief Executive Officer
Authorising officer's interest	Nil
Name of applicant / respondent	Not applicable
Date report written	11 June 2021
Previous meeting reference	Not applicable

Summary

The purpose of this agenda item is to report to Council, for information –

- use of the Common Seal,
- actions performed under delegated authority requiring referral to Council,
- and a copy of the Tender Register,

for May 2021.

Background

Council has historically sought a monthly update of the more significant activities for the organisation relative to (1) use of the Common Seal, and (2) actions performed under delegated authority requiring referral to Council as per the Shire of Ashburton Delegated Authority Register 2021.

Comment

A report on use of the Common Seal, relevant actions performed under delegated authority and the Tender Register has been prepared for Council. There were no uses of the Common Seal or delegations for the month of March 2021.

Attachment 11.6A

Consultation

Relevant officers, as listed in Attachment 11.6A.

Statutory environment

Local Government Act 1995

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

Delegated Authority Register

Financial implications

There are no known financial implications for this matter.

Strategic implications

Shire of Ashburton 10 Year Strategic Community Plan 2017- 2027 (Desktop Review 2019)

Goal 05 Inspiring Governance

Objective 4 Exemplary team and work environment

Risk management

Risk has been assessed based on the Officer Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan
Shire officers fail to comply with legislation	Unlikely (2)	Minor (2)	Low (4)	Compliance Some temporary non compliances	Ensure processes are adequate and understood

The following Risk Matrix has been applied:

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix.

The perceived level of risk is "Low" considering the report being for information purposes only and the risk can be managed by routine procedures and is unlikely to need specific application of resources.

Policy implications

ELM 13 Affixing the Shire of Ashburton Common Seal
FIN12 Purchasing Policy

Voting requirement

Simple majority

Councillor interest declarations

Nil

Officer recommendation

That with respect to the use of the common seal and actions performed under delegated authority and the tender register for May 2021, Council receive the reports, as included in Attachment 11.6A.

Council Decision	92/2021
Moved	Cr K White
Seconded	Cr D Diver
That the meeting proceeds to the next item of business.	
Reason for differing resolution – The Attachment was not distributed in a timely manner for Councillors to give due consideration.	
Carried 8/0	

12 Corporate Services reports

12.1 Monthly financial statements and schedule of accounts paid

File reference	FM03
Author's name	T Dayman
Author's position	Manager Finance and Administration
Author's interest	Nil
Authorising officer's name	N Cain
Authorising officer's position	Director Corporate Services
Authorising officer's interest	Nil
Name of applicant / respondent	Not applicable
Date report written	1 June 2021
Previous meeting reference	Not applicable

Confidential matters

Some attachments relating to this report are considered confidential in accordance with section 5.23 (2) of the *Local Government Act 1995* because they deal with matters of –

- a. 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, and
- b. Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

Summary

Council is required to produce a statement of financial activity and a schedule of accounts paid each month containing relevant information, as legislated.

The purpose of this report is to present the statement of financial activity for the month ended May 2021 and the schedule of accounts paid for May 2021.

Council is requested to accept the statement of financial activity and confirm the schedule of accounts paid, as presented.

Background

The *Local Government (Financial Management) Regulations 1996* require Shire officers, monthly and within a prescribed timeframe, to:

1. Prepare financial reports covering prescribed information and present these to Council

for acceptance; and

2. Prepare a schedule of payments made from the municipal fund and the trust fund and present this to Council for confirmation.

Comment

Shire officers have prepared the statement of financial activity and the schedule of accounts paid in accordance with legislative requirements.

The schedule of accounts paid, inclusive of credit card payments is attached.

Confidential Attachment 12.1A

The monthly financial report has been prepared in accordance with legislative requirements as well as providing Council with additional supplementary information. The monthly financial report is inclusive of the following reports –

- Statement of Financial Activity for the period.
- Capital Expense Report outlining the progress of capital initiatives as at period end.
- 2020-2021 Budget Amendments Register as at period end.

Attachment 12.1B

Consultation

Executive Leadership Team
Middle Management Team
Finance Team

Statutory environment

Local Government Act 1995

Section 6.4 (Financial report)

Local governments are required to prepare and present financial reports, on an annual basis and at any other time, and in any other format, as prescribed.

Section 6.8 (Expenditure from municipal fund not included in annual budget)

A local government is not to incur expenditure from the municipal fund for an additional purpose except where the expenditure is incurred before the budget is adopted (which it must then be included), is authorised in advance by Council Decision or is authorised in advance by the Shire President in an emergency.

Local Government (Financial Management) Regulations 1996

Regulation 13 (Payments from municipal fund or trust fund by Chief Executive Officer, Chief Executive Officer's duties as to etc.)

Where the Chief Executive Officer has been delegated the exercise of power to make payments from the municipal fund or the trust fund, a list of accounts authorised for payment by the Chief Executive Officer is to be presented each month to Council.

Regulation 34 (Financial activity statement required each month (Act s. 6.4)

Shire officers are to prepare each month a statement of financial activity reporting on the revenue and expenditure as set out in the annual budget. Each statement of financial activity is to be accompanied by information explaining the composition of net assets less committed and restricted assets, any material variances and any other supporting information considered relevant.

Financial implications

Commentary on the current financial position is outlined within the body of the attached reports.

Payments included on the Schedule of Accounts Paid have been undertaken in accordance with appropriate processes and the annual budget.

Strategic implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 05 Inspiring Governance

Objective 4 Exemplary team and work environment

Risk management

Risk has been assessed based on the Officer Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan
Material misstatement or significant error in the financial statements.	Unlikely (2)	Moderate (3)	Moderate (6)	Financial Impact - \$100,000 to \$1 million	Review of financial position information to be undertaken regularly and by multiple officers.
Council does not accept the Officers recommendation.	Unlikely (2)	Minor (2)	Low (4)	Compliance – Some temporary non compliances.	Provide elected members with sufficient information for decision making.

The following Risk Matrix has been applied:

9.1A - Confirmation of Minutes
Unconfirmed Public Minutes Ordinary Council Meeting 15 June 2021

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix.

The perceived level of risk is low due to the financial controls in place and the regularity of review of the information contained within these reports.

Policy implications

FIN06 Significant Accounting Policy

This Council Policy provides guidelines for the preparation of financial reports.

ELM10 Financial Sustainability Policy

This Council policy commits Council to ensuring no decisions will be made without considering the long-term financial impact of those decisions.

Voting requirement

Absolute majority

Councillor interest declarations

Nil

Council Decision	93/2021
Moved	Cr L Rumble
Seconded	Cr R de Pledge
That with respect to the Monthly Financials and Schedule of Accounts Paid, Council:	
1. In accordance with the <i>Local Government (Financial Management) Regulations 1996</i> regulation 13 (Payments from municipal fund or trust fund by Chief Executive Officer, Chief Executive Officer's duties as to etc.), confirms the Schedule of Accounts Paid for May 2021, as included in Confidential Attachment 12.1A, and;	
2. In accordance with the <i>Local Government (Financial Management) Regulations 1996</i> regulation 34 Financial activity statement required each month (Act s. 6.4), accepts the Statement of Financial Activity, and associated reports, for May 2021, as included in Attachment 12.1B.	
Carried by absolute majority 8/0	

12.2 2020-2021 General Meeting of Electors

File reference	GV04
Author's name	N Cain
Author's position	Director Corporate Services
Author's interest	Nil
Authorising officer's name	K Donohoe
Authorising officer's position	Chief Executive Officer
Authorising officer's interest	Nil
Name of applicant / respondent	Not applicable
Date report written	31 May 2021
Previous meeting reference	Not applicable

Summary

A general meeting of the electors of the district is to be held once every financial year. The general meeting of electors of the district for the 2020-2021 financial year was held at the Onslow Multi-Purpose Centre (Corner Hooley Avenue and McGrath Avenue, Onslow) on 18 May 2021, and commenced at 4:00 pm.

Council is requested to receive the minutes of the recent general meeting of electors and consider the Decision by Electors made at this meeting.

Background

The *Local Government Act 1995* requires a general meeting of electors in the district to be held once every financial year.

The general meeting of electors of the district for the 2020-2021 financial year was held at the Onslow Multi-Purpose Centre (Corner Hooley Avenue and McGrath Avenue, Onslow) on 18 May 2021, and commenced at 4:00 pm.

Excluding attending Shire councillors and employees, twenty-five (25) people were in attendance, with fifteen (15) of those people being eligible electors.

The minutes from the meeting are attached.

Attachment 12.2A

At the meeting, the following Decision by Electors was moved and carried –

“Moved: S Wilson
Seconded: A Shone

That Council repair the relationship with Guido van Helten to produce a design concept which fits the contract brief before engaging another artist.”

No other Decisions by Electors were made.

Comment

Shire officers have considered the Decision by Electors regarding repairing the relationship with Guido van Helten (the artist contracted to paint mural artwork on the Onslow Water Tanks, Onslow).

The Decision by Electors is like the petition lodged by the mover of the Decision by Electors (Suzanne Wilson) at the council meeting held earlier on the same day as the general meeting of electors.

The petition, which is the subject of an Officer report in this Council Agenda, has the following request:

“We, the undersigned, all being electors of the Shire of Ashburton do respectfully request that Council reinstate Artist Guido Van Helten to complete the Onslow Water Tank Project as endorsed by Council.

Furthermore, we request that Council provide a written explanation as to why as stated in media reports the mural was “too indigenous” resulting in the artist abandoning the Onslow Water Tank Public Art Project.”

Because of the similarity between the Decision by Electors and the petition request, Shire officers believe the item is best considered once only and, accordingly, request Council note the Decision by Electors in this Agenda item and consider the detail in the Agenda item which directly considers the petition (Item 12.3 in this Agenda).

Consultation

Executive Leadership Team
Chief Operating Officer – Airport and Tourism

Statutory environment

Local Government Act 1995

Section 5.26 – Term used: electors

Electors includes ratepayers, in addition to a person who is enrolled to vote at elections for the district (or ward).

Section 5.27 – Electors’ general meetings

A general meeting of the electors of a district is to be held once every financial year, after Council accepts the annual report for the previous year.

Section 5.32 – Minutes of electors’ meetings

The Chief Executive Officer is to ensure minutes of the electors’ meeting are kept and preserved and ensure the minutes are made available for inspection before the council meeting at which decisions made at the electors’ meeting are first considered.

Section 5.33 – Decisions made at electors’ meetings

All decisions made at an electors’ meeting are to be considered at the next ordinary council meeting, unless not practicable. In the case it is not practicable, at the next ordinary council meeting or at a special meeting called for the purpose of considering those decisions.

If council makes a decision in response to a decision made at an electors’ meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

Local Government (Administration) Regulations 1996

Regulation 17 – Voting at meeting

Each elector present at an electors’ meeting is entitled to one vote on each matter to be decided, although does not have to vote.

Financial implications

There are no financial implications specifically regarding the adoption of the recommendation.

Strategic implications

Shire of Ashburton Strategic Community Plan 2017-2027 Living Life (2019 Desktop Review)

Goal 5 Inspiring Governance
Objective 2 Community ownership
Objective 3 Council leadership

Risk management

Risk has been assessed based on the Officer Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan
Council is branded negatively for not considering the Decision by Electors in this Agenda item.	Possible (3)	Moderate (3)	Moderate (9)	Reputation – Substantiated, public embarrassment, moderate impact on community trust or moderate media profile.	Provision of detailed explanation within an additional agenda item, including the details of the Motion by Elector within the item.

The following Risk Matrix has been applied:

9.1A - Confirmation of Minutes
Unconfirmed Public Minutes Ordinary Council Meeting 15 June 2021

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix.

The perceived level of risk is "Moderate" due to the heightened local community interest regarding the mural artwork on the Onslow Water Tanks and the need to appropriately convey the position of Council to the broader community.

Policy implications

Model Code of Conduct for Council Members, Committee Members and Candidates 2021

Council is to ensure it –

- acts based on relevant and factually correct information,
- makes decisions on merit, in the public interest and according to statute, good governance and procedural fairness, and
- is open and accountable and represents the community in the district.

ADM08 – Community Engagement Policy

Council is committed to engaging with the Shire of Ashburton community and recognises community engagement is about involving the community in decisions impacting them, noting community engagement does not mean achieving consensus, however it does involve seeking broad, informed agreement and the best possible solution for Council and community.

Voting requirement

Simple majority

Councillor interest declarations

Nil

Council Decision	94/2021
Moved	Cr D Diver
Seconded	Cr M Gallanagh
That with respect to the 2020-2021 general meeting of electors, Council, in accordance with the <i>Local Government Act 1995</i> section 5.33;	
a. Receives the minutes of the 2020-2021 general meeting of electors held at the Onslow Multi-Purpose Centre (Corner Hooley Avenue and McGrath Avenue, Onslow) on 18 May 2021, which commenced at 4:00 pm, as included in Attachment 12.2A;	
b. Acknowledges the Decision by Electors regarding repairing the relationship with Guido van Helten (the artist contracted to paint mural artwork on the Onslow Water Tanks, Onslow); and	
c. Noting the similarity to the petition received at the 18 May 2021 ordinary council meeting, elects to consider both the petition and Decision by Electors (regarding Guido van Helten) in the one item (Item 12.3 to this Council agenda).	
Carried 8/0	

12.3 Petition and Decision by Electors – Matters regarding Onslow Water Tank Public Art Project artist (Guido van Helten)

File reference	RC34
Author's name	N Cain
Author's position	Director Corporate Services
Author's interest	Nil
Authorising officer's name	K Donohoe
Authorising officer's position	Chief Executive Officer
Authorising officer's interest	Nil
Name of applicant / respondent	Not applicable
Date report written	1 June 2021
Previous meeting reference	Agenda item 11.3 (Minute 27/2021) ordinary council meeting 16 March 2021

Confidential matters

Some attachments relating to this report are considered confidential in accordance with section 5.23 (2) of the *Local Government Act 1995* because they deal with matters of –

- a. 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, and
- b. Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

Summary

A petition was provided to Council at the 18 May 2021 ordinary council meeting requesting the reinstatement of the Onslow Water Tank Public Art Project artist (Guido van Helten), and for an explanation to be provided why, in the petitioners' perception, the "...mural was "too indigenous" resulting in the artist abandoning the Onslow Water Tank Public Art Project."

The purpose of this item seeks to –

- a) address the request contained within the submitted petition,
- b) consider the Decision by Electors from the 2020-2021 general meeting of electors, and
- c) comment on the future direction of the project (including a proposed alternative method to progress the project, should council so choose).

Council is requested to support the continuation of the project, consider the petition request and Decision by Electors, and establish an Artwork Selection Working Group, involving

community members, to assist in overseeing the delivery of the project (assuming Council is supportive of continuing the project).

Background

In 2018, the Shire of Ashburton undertook a Request for Quote process to award an artist the contract to paint mural artwork on the Onslow Water Tanks, Onslow. This artwork initiative was intended to represent the community's history, spirit, and people, with the objectives of –

- Increasing the arts sector within the Shire,
- Bringing the community together, and
- Increasing tourism in Onslow and the Shire of Ashburton region.

The successful artist (Guido van Helten) signed a contract with the Shire of Ashburton and the Water Corporation to commission the painting of the Onslow Water Tanks, Onslow, with a suitable public art design.

Due to COVID-19 pandemic movement restrictions the artist was not able to commence the project on-site until March 2021.

In April 2021, following a comprehensive community consultation process, Shire officers provided, on behalf of the artist, the artist's initial design proposal to a Council briefing session where Councillors discussed the initial design proposal. The artist was not present at this discussion.

Councillors provided direction to the Chief Executive Officer to reject the initial design as it was considered to not be in line with Council's vision for the artwork.

Council's vision included a visual interpretation of Onslow's community history and a reflection of its past to modern day, which was to acknowledge indigenous heritage, pearling and agriculture industries, and the stories that make Onslow the authentic coastal town it is today.

Shire officers were of the understanding the artist was willing to work on an alternative design, as conveyed by the artist at a subsequent meeting held with the artist and Shire representatives following the Council briefing session.

Soon after the discussion of the design at the April 2021 Council briefing session and the subsequent meeting, Shire officers were informed by correspondence, on 26 April 2021, sent on behalf of the artist, stating he was not prepared to work on an alternative design, or modify the initial design, and, soon thereafter, the artist left the district.

Shire officers have sought legal advice for guidance regarding the contractual relationship between the Shire of Ashburton and Mr. van Helten.

At the 18 May 2021 ordinary council meeting a petition was submitted to, and accepted by, Council.

The request, as contained on each page of the petition, is as below:

"We, the undersigned, all being electors of the Shire of Ashburton do respectfully request that Council reinstate Artist Guido Van Helten to complete the Onslow Water Tank Project as endorsed by Council.

Furthermore, we request that Council provide a written explanation as to why as stated in media reports the mural was "too indigenous" resulting in the artist abandoning the Onslow Water Tank Public Art Project."

The summary of the reasons for the request contained within the petition is as below:

"The reasons for the request are:

- Guido van Helten spent six weeks in Onslow and engaged with a wide range of community members in an inclusive and professional manner.*
- Guido sourced a variety of photos that depicted an honest and unbiased view of Onslow's history, spirit, and people.*
- Council made their decision without any consultant with the community; therefore, this petition aims to voice community concern regarding Councils blatant disregard towards community input during the design and approval process.*

Additional factors of concern raised by the community during discussions include;

- Lost opportunity for reconciliation with our indigenous people and culture;*
- Lost tourism and economic opportunities;*
- Financial implications to project stakeholders, Water Corporation sponsored \$50,000 and Regional Arts WA \$30,000; And what, if any decision and feedback these Stakeholder had in the approval process.*
- The Shire of Ashburton recently purchased Public Sculptures (Paparazzi Dogs) to the value of \$125,000. There is no public record indicating Council approved the purchase of the sculptures. The item appeared in March Monthly Financial Report (page 27). The public sculptures have no relevance to the history and culture of Onslow. The sculptures do not meet the Shires own Strategic Community Plan (unlike the Water Tank Public Art Project), and the **community were not consulted on public sculpture project."***

Additionally, at the 2020-2021 general meeting of electors, also held on 18 May 2021, the following Decision by Electors was moved and carried:

"Moved: S Wilson

Seconded: A Shone

That Council repair the relationship with Guido van Helten to produce a design concept which fits the contract brief before engaging another artist."

Comment

Petition assessment

The petition, lodged pursuant to section 6.10 (Petitions) of the *Shire of Ashburton Standing Orders Local Law 2012*, has been assessed by Shire officers and found satisfactorily compliant.

The Western Australian Electoral Commission provided Shire officers with a copy of the district electoral roll as of 1 June 2021.

The petition contains 220 signatures, with the following breakdown of the assessment against the supplied electoral roll provided:

- 129 of the signatories have been identified on the supplied electoral roll;
- 10 of the signatories identified themselves as not being electors of the district;
- 1 signatory was indeterminable; and
- 80 signatories claimed to be electors of the district and were unable to be matched on the supplied electoral roll.

Based on the satisfactorily compliant nature of the petition, Shire officers have proceeded to address the petition request.

Petition request (Part B)

Part B of the petition request is as below:

“Furthermore, we request that Council provide a written explanation as to why as stated in media reports the mural was “too indigenous” resulting in the artist abandoning the Onslow Water Tank Public Art Project.”

It is noted, and reinforced, Council, and Council representatives, have no control over what is reported in media reports by other agencies and do not, and have not, referred to the mural as being “too indigenous”.

Council’s vision for the artwork on Onslow’s water tanks was for a visual interpretation of the community’s history and a reflection of the past to modern day.

The Preamble for the Request for Quotation for the Onslow Water Tanks Mural Project (April 2019) stated the following:

“The Shire of Ashburton (SoA) is seeking quotations from suitably experienced artists for the provision of a mural on the two Onslow Water Tanks which reflects the township of Onslow’s history and character. This project includes preparing the surfaces of the water tanks, conducting community engagement, submitting designs, and painting the mural on the tanks.”

Council aspired for the mural to be an interpretation of the town and surrounding lands, which not only acknowledged the Indigenous heritage and respectfully represented the traditional custodians of the land, the Thalanyji People.

In essence the vision for the artwork would be provided through the stories of those who call Onslow home, and through the traditional industries and growth of Onslow into the authentic coastal town it is today.

This is reinforced and included within the Project Deliverables section of the Request for Quotation document (with regards to the concept), which stated:

“The proposed large scale public artwork will contribute and enhance Onslow’s sense of place and community connectedness, will provide the area with a unique tourist attraction and be part of a bigger art trail.

The Shire is keen for artists to exercise artistic expression and freedom on this project, as the final design should reflect the un-biased artist’s interpretation of the community; however, the work will need to explore and refer to the themes specified for Onslow by the Shire of Ashburton, Water Corporation, and the community elements relative to the community, its history, culture and character, environment, and water.

The artist will need to work within the defined parameters (no offensive content) and the artwork should not resemble graffiti. The artist is required to engage with the community, develop at least two concept designs, these will be put forward to the reference group for feedback before presenting the final design to the community and delivering the project.”

Attachment 12.3A

Shire officers note the commentary included in media reports regarding the initial concept are not in context and do not reflect the feedback and sentiment of the Council direction as provided to the Chief Executive Officer at a Council briefing session held in April 2021.

At this session it was noted Onslow, as a diverse and dynamic town in the North-West of Western Australia, has an interesting story to tell which was not captured in the imagery provided by the artist.

Petition request (Part A) and Decision by Electors (18 May 2021)

Part A of the petition request is as below:

“We, the undersigned, all being electors of the Shire of Ashburton do respectfully request that Council reinstate Artist Guido Van Helten to complete the Onslow Water Tank Project as endorsed by Council.”

The Decision by Electors, which was moved and carried at the 2020-2021 general meeting of electors, is as below:

“That Council repair the relationship with Guido van Helten to produce a design concept which fits the contract brief before engaging another artist.”

As the two components are like each other, the two matters will be considered together.

The relationship between the artist (Guido van Helten), the Water Corporation and the Shire of Ashburton is controlled by the terms and conditions contained within the Public Art and Commission Agreement signed and executed by representatives from each party on 18 December 2020.

From the moment of signature and execution, each party is bound by the terms and conditions of the Agreement.

A copy of the Executed Agreement is contained as a confidential attachment.

Confidential Attachment 12.3B

Shire officers have sought legal advice and guidance regarding the continuation of any form of relationship with the artist.

This advice is contained as a confidential attachment.

Confidential Attachment 12.3C

Further advice has been sought by Shire officers from a procurement advisor, which was verbally provided, seeking direction regarding the potential opportunity for an ongoing relationship with the artist.

By way of summary from both the legal advisor and procurement advisor, should Council wish to continue any form of ongoing relationship with Guido van Helten, as the artist for the Onslow Water Tanks Mural Project, this should be undertaken by way of another open and transparent procurement process, where the artist can resubmit his proposal (along with any other interested artist/s), and, if the artist is successful, a new Agreement entered. This position does not align to Part A of the petition request nor the Decision of Electors.

Essentially, the contractual agreement between Guido van Helten, the Water Corporation and the Shire of Ashburton (as signed and executed by representatives from each party on 18 December 2020) is considered “no longer on foot”. That is, a discontinuance to observe the obligations to the Agreement mean it is no longer binding on the parties in any way.

Progressing the Project

Should Council wish to continue with the project, there is a need to progress any artwork on the water tanks in a timely manner (due to recent preparatory cleaning of the tanks and the traditional ideal weather conditions for these works).

Shire officers have considered an alternate process for advancing the project and have held preliminary discussions with the Water Corporation and Regional Arts WA.

Both organisations have indicated a desire to continue with the project noting the cultural and tourism significance to Onslow.

Through discussions with State agencies, other local governments, other Shire officers, and considering the legal and procurement advice, an alternate procurement process could be considered by Council to progress the project, namely an Expression of Interest process.

An Expression of Interest would be an opportunity for a respondent to express themselves in a clear, professional document, offering an opportunity to provide important information and to demonstrate suitability, interest, artistic genre, originality, inventiveness, and ability to communicate with stakeholders.

Additionally, consideration has been given to potential community involvement to assist with the selection of the artist/s and artwork through the utilisation of an "Artwork Selection Working Group".

Shire Officers suggest the Artwork Selection Working Group be comprised of appropriately skilled representatives from the Shire of Ashburton, relevant local community groups, residents, and businesses.

It is suggested the Art Selection Working Group would make recommendation (not unlike the role of a Shire officer) for the selection of an artist/s following the Expression of Interest Process.

In accordance with legislative requirements, at the conclusion of the Expression of Interest process, tenders would be sought from the successful submissions. It has been suggested a fee be paid to each shortlisted artist/s to prepare and present their concepts, which is not an uncommon process in the delivery of artwork concept proposals.

From the short-listed projects, the Artwork Selection Working Group would select an artist/s for the design, fabrication and installation of the artwork and provide this in the form of a recommendation.

Shire officers believe this process would provide a high level of community ownership, discussion, and involvement, which is likely to result in a high level of community acceptance.

Consultation

Executive Leadership Team
Chief Operating Officer – Airport and Tourism
Manager Economic Development and Tourism
Legal advisor
Procurement advisor
Other local government officers
Water Corporation
Regional Arts WA

Statutory environment

Shire of Ashburton Standing Orders Local Law 2012

Section 6.10 - Petitions

A petition submitted to Council is to be in an appropriate form and contain such detail to ensure the eligibility of the petition being submitted. Council is not to consider any issue raised in the received petition until it has considered a report on the matter of the petition.

Local Government Act 1995

Section 5.33 – Decisions made at electors' meetings

All decisions made at an electors' meeting are to be considered at the next ordinary council meeting, unless not practicable. In the case it is not practicable, at the next ordinary council meeting or at a special meeting called for the purpose of considering those decisions.

If council makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

Local Government (Functions and General) Regulations 1996

Regulation 21 – Limiting who can tender, procedure for

A local government can choose to make a preliminary selection from amongst prospective tenderers for the supply of goods or services. The process, known as an "Expression of interest", must meet certain requirements as part of this process.

Regulation 14 – Publicly inviting tenders, requirements for

If a local government has prepared a list of acceptable tenderers via the use of an Expression of Use process, then the local government is required to conduct the appropriate tender submission selection process as though it had been required to call tenders, giving notice of the invitation to tender to each acceptable tenderer listed instead of Statewide public notice.

Financial implications

The total budget for this project (\$123,400) has already been approved by Council and included in the 2020-2021 Annual Budget. Shire officers propose rolling the budget over to the next financial year as it is unlikely the project will be completed this financial year.

The total budget includes preparatory cleaning, community engagement, artist accommodation and payments to the artist.

To date, approximately \$48,000 has been expended, which has predominantly been for the cleaning, community engagement, and artist accommodation (\$37,500).

The grant funds towards the delivery of the project total \$80,000.

Strategic implications

Shire of Ashburton Strategic Community Plan 2017-2027 Living Life (Desktop Review)

- Goal 2 Economic Prosperity
- Objective 1 Strong Local Economies
- Objective 2 Enduring partnerships with industry and government
- Objective 3 Well-managed tourism

Shire of Ashburton Economic and Tourism Development Strategy (2019)

- Goal 1 Promote the Shire
- Objective 1 Targeted Destination marketing for increased tourism
- Objective 2 Supporting capacity building

- Goal 2 Encourage Infrastructure Development and Investment
- Objective 1 Encouraging tourism and transport infrastructure and development

Risk management

Risk has been assessed based on the Officer Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan
Council does not reinstate the artist (Guido van Helten) against the wishes of some of the community.	Likely (4)	Moderate (3)	High (12)	Reputation – Substantiated, public embarrassment, moderate impact on community trust or moderate media profile.	Provision of an alternative solution for Council to consider which has a high degree of public engagement.
Council is branded negatively for not delivering public artwork.	Possible (3)	Moderate (3)	Moderate (9)	Reputation – Substantiated, public embarrassment, moderate impact on community trust or moderate media profile.	Provision of alternative solutions for Council to consider which have a high degree of public engagement.
Council fails to follow legislation associated with	Unlikely (2)	Moderate (3)	Moderate (6)	Compliance – Short-term non-compliance with	Utilisation of the Shire's dedicated Procurement

9.1A - Confirmation of Minutes
Unconfirmed Public Minutes Ordinary Council Meeting 15 June 2021

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan
Expressions of Interest.				significant .regulatory requirements imposed.	Service Team, combined with Governance assistance.
The proposal fails to deliver artwork which is accepted by Council and community.	Possible (3)	Moderate (3)	Moderate (9)	Project (Time) – Exceeds deadline by 15% of project timeline.	The provision of regular updates to the community of Onslow by the nominated artist / working group.

The following Risk Matrix has been applied:

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix.

The perceived level of risk is "Moderate to High" due to the high level of community interest and perceived angst of the project. A proposal providing a higher level of community involvement, coupled with a collaborative approach, is likely to provide a result with a high community acceptance.

Policy implications

ADM08 – Community Engagement Policy

Council is committed to engaging with the Shire of Ashburton community. Council recognises community engagement is about involving the community in decisions which impact them, noting community engagement does not mean achieving consensus, however it does involve seeking broad, informed agreement and the best possible solution for Council and community.

Voting requirement

Simple majority

Councillor interest declarations

Nil

Officer recommendation

That with respect to consideration of the petition requesting reinstatement of the Onslow Water Tank Public Art Project Artist (Guido van Helten), and the Decision by Electors, which was moved and carried at the 2020-2021 general meeting of electors, and which is like the petition, Council:

1. Supports the continuation of the delivery of the Onslow Water Tank Mural Project;
2. In accordance with section 6.10 of the *Shire of Ashburton Standing Orders Local Law 2012* and section 5.33 of the *Local Government act 1995*, advises:

“With respect to the delivery of the Onslow Water Tank Public Art Project, the relationship between the artist (Guido van Helten), the Water Corporation and the Shire of Ashburton is controlled by the terms and conditions contained within the Public Art and Commission Agreement signed and executed by representatives from each party on 18 December 2020.

Council has been advised a discontinuance to observe the obligations to the Agreement mean it is no longer binding on the parties.

Additionally, advice has been received noting, should Council wish to continue any form of ongoing relationship with Guido van Helten, as the artist for the Onslow Water Tanks Mural Project, this should be undertaken by way of another open and transparent procurement process, where the artist can resubmit his proposal (along with any other interested artist/s) and, if successful, a new Agreement with the artist entered.

Further, regarding media reports stating the proposed mural was “too indigenous” neither the Council, nor Council representatives, hold this view.

Council notes the commentary included in media reports regarding the initial concept are not in context and do not reflect the feedback and sentiment of the Council direction as provided to the Chief Executive Officer at a Council briefing session held in April 2021.

At this session it was noted Onslow, as a diverse and dynamic town in the North-West of Western Australia, has an interesting story to tell which was not captured in the imagery provided by the artist.”

3. Requests the Chief Executive establish an Artwork Selection Working Group comprised of appropriately skilled representatives from the Shire of Ashburton, relevant local community groups, residents, and businesses to assist Council with the selection of the artist/s and artwork for the Onslow Water Tank Mural; and
4. In accordance with the *Local Government (Functions and General) Regulations 1996* regulation 21, requests the Chief Executive Officer to seek Expressions of Interest for the supply of Onslow Water Tank Mural Artwork based on the scope of Request for Quotation – Onslow Water Tanks Mural Project (April 2019) as included in Attachment 12.3A.

Council Decision 95/2021

Moved Cr D Diver

Seconded Cr R de Pledge

That with respect to consideration of the petition requesting reinstatement of the Onslow Water Tank Public Art Project Artist (Guido van Helten), and the Decision by Electors, which was moved and carried at the 2020-2021 general meeting of electors, and which is like the petition, Council:

- 1. Supports the continuation of the delivery of the Onslow Water Tank Mural Project,**
- 2. In accordance with section 6.10 of the Shire of Ashburton Standing Orders Local Law 2012 and section 5.33 of the Local Government act 1995, advises,**

“With respect to the delivery of the Onslow Water Tank Public Art Project, the relationship between the artist (Guido van Helten), the Water Corporation and the Shire of Ashburton is controlled by the terms and conditions contained within the Public Art and Commission Agreement signed and executed by representatives from each party on 18 December 2020.

Council has been advised a discontinuance to observe the obligations to the Agreement mean it is no longer binding on the parties.

Additionally, advice has been received noting, should Council wish to continue any form of ongoing relationship with Guido van Helten, as the artist for the Onslow Water Tanks Mural Project, this should be undertaken by way of another open and transparent procurement process, where the artist can resubmit his proposal (along with any other interested artist/s) and, if successful, a new Agreement with the artist entered.

Further, regarding media reports stating the proposed mural was “too indigenous” neither the Council, nor Council representatives, hold this view.

Council notes the commentary included in media reports regarding the initial concept are not in context and do not reflect the feedback and sentiment of the Council direction as provided to the Chief Executive Officer at a Council briefing session held in April 2021.

At this session it was noted Onslow, as a diverse and dynamic town in the North-West of Western Australia, has an interesting story to tell which was not captured in the imagery provided by the artist.”

- 3. Requests the Chief Executive establish an Artwork Selection Working Group comprised of appropriately skilled representatives from the Shire of Ashburton,**

relevant local community groups, residents, and businesses to assist Council with the selection of the artist/s and artwork for the Onslow Water Tank Mural,

4. In accordance with the Local Government (Functions and General) Regulations 1996 regulation 21, requests the Chief Executive Officer to seek Expressions of Interest for the supply of Onslow Water Tank Mural Artwork based on the scope of Request for Quotation – Onslow Water Tanks Mural Project (April 2019), as included in Attachment 12.3A,
5. With regards to the Artwork Selection Working Group terms of reference include a confidential provision in relation to the artist's design and any pictures of persons (if so, included in the artwork) to have written consent to avoid problems held with the previous contract. Any portrait should not include persons who are living, and any portrait must have consent of the families, and
6. The Chief Executive Officer investigate contractual terms between the artist and council with a view of releasing the previous artwork to the community.

Reason for differing resolution – Council sought additional items within the resolution, including reference to terms of reference, confidentiality provisions and design direction.

Carried 8/0

13 People and Place reports

13.1 Proposed change of Reserve purpose with power to lease – Reserve 38467 (Lot 41 on Deposited Plan 184619)

File reference	PR38467
Author's name	B McKay
Author's position	Manager Town Planning
Author's interest	Nil
Authorising officer's name	A Majid
Authorising officer's position	Director People and Place
Authorising officer's interest	Nil
Name of applicant / respondent	Shire of Ashburton
Date report written	28 May 2021
Previous meeting reference	Not applicable

Summary

Due to the lack of accommodation options available within the town, the Shire is currently looking to use an underutilised reserve for Short Term Tourism and Key Worker Accommodation.

The current purpose of the Reserve is "Experimental Farm and Gravel" which limits use for any other purpose, and Council is therefore requested to consider requesting the Minister for Lands to amend the Purpose of Reserve 38467 from "Experimental Farm and Gravel" to "Experimental Farm and Gravel and Short-Term Tourism and Key Worker Accommodation".

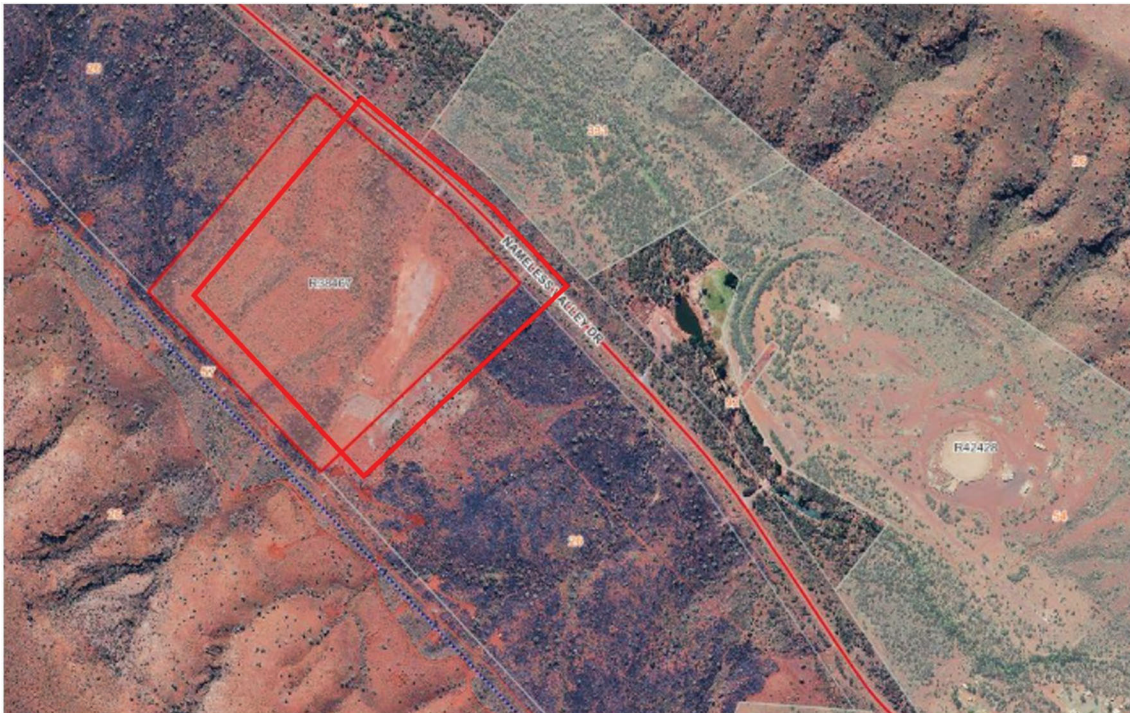
Background

Reserve 38467 was transferred from Main Roads to the Shire in May 2011. Prior to this, in 2008, gravel was extracted from the site for upgrading the Nameless Valley Drive Road. Following this, portions of the site have been used for different purposes.

In September 2010, Ashburton Aboriginal Corporation's subsidiary company ASHOIL planted a trial plantation of Moringa oleifera trees to trial oil seed crops for Biodiesel production on 5.7Ha of the reserve. In 2015 Council formalized this arrangement by requesting Department of Lands change the purpose of the Reserve with the power to lease and entered into a commercial lease agreement with AAC for continued use of the current portion of the Reserve. Whilst the plantation is no longer in use the lease with Ashburton Aboriginal Corporation remains valid until 2 July 2025.

In August 2012, The Shire of Ashburton (Shire) approved a Planning Approval lodged on their behalf, to construct an 80-room construction workforce accommodation camp on a portion of the reserve and Lot 41 Nameless Valley Drive. The purpose of the camp was to accommodate contractors for Shire-related works, including the Tom Price Town Centre Revitalisation Project, land development and construction works, with the camp being demobilized in 2016.

The reserve area is shown on the plan below, marked in red –



Comment

The subject site is zoned “Rural” under the Shire of Ashburton Town Planning Scheme No. 7 and as such accommodation uses are permitted. Amending the Management Order to include “Short Term Tourism and Key Worker Accommodation” would help facilitate much needed housing options within the shire. Considering the significant area of the subject site (being 27.636 hectares) it is anticipated that all proposed uses on the reserve to coexist.

The Department of Planning Lands and Heritage (DPLH) have advised they could consider the proposed change of purpose if a clear community benefit is demonstrated through a formal crown land enquiry.

Consultation

Town Planning Team
Director People and Place
Executive Leadership Team
Chief Executive Officer

Statutory environment

Land Administration Act 1997

51 – Request cancellation or change of purpose or amend the boundaries of a reserve

Subject to sections 42, 43 and 45, the Minister may, by order, cancel, change the purpose of or amend the boundaries of, or the locations or lots comprising, a reserve.

Financial implications

There are no known material financial implications relative to this matter more than officer time and minor administrative costs.

Strategic implications

This item is relevant to the Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 and the Strategic Corporate Plan 2019-2023. In particular, the strategic direction provided for this activity:

- Goal 01 Vibrant and Active Communities
- Objective 1 Connected, caring, and engaged communities.
- Objective 4 A rich cultural life

- Goal 5 Inspiring governance
- Objective 1 Effective planning for the future
- Objective 2 Community ownership

Risk management

Risk has been assessed based on the Officer Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan
Reputation	Unlikely (2)	Insignificant (1)	Low (2)	Unsubstantiated, localised low impact on community trust, low profile or no media item.	Endorse Officer recommendation

The following Risk Matrix has been applied:

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix.

The perceived level of risk is "Low" due to low reputational risk.

Policy implications

There are no known policy implications for this matter.

Voting requirement

Simple majority

Councillor interest declarations

Cr M Lynch	-	Indirect financial
Cr D Dias	-	Proximity
Cr R de Pledge	-	Financial

Officer recommendation

That with respect to the Proposed Change of Reserve Purpose with Power to Lease – Reserve 38467, Tom Price, Council request the Minister for Lands change the purpose of Reserve 38467 from "Experimental Farm and Gravel" to "Short Term Tourism and Key Worker Accommodation, Experimental Farm and Gravel", with Power to Lease.

Council Decision	96/2021
Moved	Cr K White
Seconded	Cr D Diver
That the meeting proceeds to the next item of business.	
Reason for differing resolution – Council requested more time to consider interest declaration requirements.	
Carried 8/0	

13.2 Community support grant allocations – Round 2 2020-2021 financial year

File reference	GS01
Author's name	A Majid
Author's position	Director People and Place
Author's interest	Nil
Authorising officer's name	K Donohoe
Authorising officer's position	Chief Executive Officer
Authorising officer's interest	Nil
Name of applicant / respondent	Not applicable
Date report written	1 June 2021
Previous meeting reference	Agenda item 14.3 (Minute 94/2020) ordinary council meeting 9 June 2020

Summary

Round two of the Community Support Grant program was opened for applications for a period of eight (8) weeks being the months of February and March 2021.

A total of thirteen (13) applications were received and have been assessed by Shire officers.

Council's consideration is now required in response to the applications received.

Background

Pursuant to Council policy "REC08 – Community Donations, Grants and Funding", Community Support Grants (CSG) are made available with two application rounds. Round two funding is for projects that commence in or after June.

Round two of the CSG program was opened for the months of February and March 2021. Advertising for round two was undertaken through the Shire's website in addition to social media posts promoting the opportunity to apply.

At the close of the application period, there were a total of thirteen (13) applications received.

Of those applications, the breakdown by town is as follows:

Onslow	-	2
Pannawonica	-	1
Paraburdoo	-	4
Tom Price	-	6

A listing of the applications received is attached.

Attachment 13.2A

Comment

In reviewing the applications received, it is noted that a total of seven (7) of the applications received are compliant.

Three (3) of the applications received have a partial non-compliance due to having received a Small Assistance Donation of \$500 in the current financial year.

Two of the three remaining applications assessed have partial non-compliance with one being retrospective, one seeking in-kind pushing the application beyond \$2500 and one being non-compliant as they have received CSG funding through Round 1 of the 2020/21 year.

In considering the non-compliances, they are minor at best and Council has the authority to approve the applications provided due regard has been given to adopted policies.

Further considering the non-compliances, there has been a considerably lower number of applications received for the subject round. This is in comparison to Round Two of 2019/20 which had some 25 applications received.

It is proposed that the application which was non-compliant due to CSG funding being received in Round One be declined.

Consultation

Council workshop

Statutory environment

Local Government Act 1995

Section 6.7 Municipal fund

Money held in the municipal fund may be applied towards the performance of the functions and the exercise of the powers conferred on the local government by this Act or any other written law.

Financial implications

The following budget allocations are provided in the 2020/21 Annual Budget:

EV202 Community Support Grants \$80,000.00 with an expenditure to date of \$45,751.43.

Strategic implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 01 Vibrant and Active Communities
Objective 2 Sustainable Services, Clubs, Associations and Facilities

Goal 05 Inspiring Governance
Objective 2 Community Ownership

Risk management

Risk has been assessed based on the Officer Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan
Compliance	Unlikely (2)	Minor (2)	Low (4)	Some temporary non compliances	Council can exercise discretion when applying policy with respect to community benefit.

The following Risk Matrix has been applied:

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix.

The perceived level of risk is "Low" due to the need for Council to apply discretion with respect to adopted policies.

Policy implications

REC08 Community Donations, Grants and Funding

As per the risk management above, Council is being asked to apply discretion with respect to the perceived minor non-compliances with the applications. The outcome is benefit to the community.

Voting requirement

Simple majority

Councillor interest declarations

Cr M Lynch - Impartiality

Council Decision	97/2021
Moved	Cr D Dias
Seconded	Cr M Gallanagh
<p>That with respect to the acceptance of Community Support Grant Applications, Round Two, 2020-2021 financial year, Council approves the recommendations for General Community Support Grant applications being allocated from account EV202 (Community Support Grants) for a total of \$27,717.55, as included in Attachment 13.2A.</p>	
<p style="text-align: right;">Carried 8/0</p>	

14 Infrastructure Services reports

14.1 Onslow LRCIP Project Basin 2 – Status update

File reference	RFP2019
Author's name	P Patil
Author's position	Manager Assets and Programming
Author's interest	Nil
Authorising officer's name	M Khosravi
Authorising officer's position	Director Infrastructure Services
Authorising officer's interest	Nil
Name of applicant / respondent	Not applicable
Date report written	27 May 2021
Previous meeting reference	Agenda item 15.3 (Minute 199/2020) ordinary council meeting 10 November 2020

Summary

The Onslow Detention Basin Beautification project is funded under the Local Roads and Community Infrastructure Program (LCRIP) – Phase 2 Program announced by the Federal Government on 30 October 2020.

The purpose of this report is to seek Council's endorsement for a proposed Water Feature to be installed in Onslow Detention Basin 2. An application for \$100,000.00 has been submitted to the Regional Economic Development Small Grants Program 2021 to partially fund the cost of the Water Feature.

Background

As part of the Onslow Detention Basin Drainage and Beautification Project, the Shire engaged consultants (Cardno) to develop a beautification design which included a central water feature in Detention Basin 2. The water feature is essential for providing continuous recirculation of water and minimizing the breeding of mosquitoes in the detention basin. It was identified that the water feature should also be designed to take account of water constraints in Onslow.

The scope of works for the beautification project involve:

- shared use footpaths with solar footpath lighting,
- additional tree planting along with salt tolerant shrubs and grasses,
- colored rock in-lay (blue) within the basin to suit likely flow paths infilled with limestone rock (Pilbara Red),
- salt tolerant grasses within the basin,

- picnic shelters,
- limestone feature walls, and
- replacement / modification of the existing fountain with a more substantial structure.

Attachment 14.1A

Comment

The purpose of this report is to identify a design preference for the water feature and to delegate the CEO to proceed with obtaining a detailed design which is relative to Onslow's landscape.

It was originally intended that the project incorporate a public art component. However, public art is not an allowable expenditure under the LRCIP.

Works under the LCRIP Phase 2 program are required to be physically complete by 31 December 2021 unless otherwise agreed by the Federal Department of Infrastructure.

Several water feature designs from various locations have been attached for inspiration.

Attachment 14.1B

An existing water feature in Kalamunda, has been identified as a suitable option when considering Onslow's detention basis water constraints. It is proposed to proceed with obtaining a detailed design that adopts the water flow of this feature but be more visually relative to Onslow's landscape. Once the design has been developed, further approval from Council would then be sought.

Attachment 14.1C

Consultation

Chief Executive Officer
Executive Leadership Team

Statutory environment

There are no known statutory impediments for this matter.

Financial implications

Pending award of \$100,000 through the Regional Economic Development Small Grants Program 2021 for the installation of the proposed water feature.

\$865,187 from Local Roads and Community Infrastructure Program (LRCIP) has been approved for landscape and beautification of detention basin 2.

Strategic implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 04 Quality Services and Infrastructure

Objective 01 Quality Public Infrastructure

Risk management

Risk has been assessed based on the Officer Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan
Reputation	Likely (4)	Moderate (8)	High (12)	Lack of trust in the Shire to deliver project – because of delays already incurred.	Stricter controls in terms of overall project and contract management. Independent consultant to be engaged for stakeholder consultations using IAP2 Methodology.
Financial Impact	Unlikely (2)	Minor (2)	Low (4)	Potential project cost overrun.	Experienced and qualified design consultant appointed. Comprehensive Technical Specification. Complete contract documentation Detailed pre-rfq quote. Project works during dry season to avoid time delay. Full time Superintendent.
Quality	Possible (3)	Major (4)	High (12)	Project involves highly visible community assets which must be delivered to a high standard.	Comprehensive specification Thorough rfq process, including mandatory on-site rfq briefing. Superintendent appointed to oversee works.

The following Risk Matrix has been applied:

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix.

The perceived level of risk is "High" due to the public's perception of the Shire's inability to be able to deliver the project due to previous failed attempt.

Policy implications

There are no known policy implications relating to this matter.

Voting requirement

Simple majority

Councillor interest declarations

Nil

Council Decision	98/2021
Moved	Cr D Diver
Seconded	Cr M Lynch
<p>That with respect to the Onslow Detention Basin Beautification Project and the proposed water feature, Council:</p> <ol style="list-style-type: none"> 1. Endorse the preferred design option for the water feature, as included in Attachment 14.1C; and 2. Delegate authority to the Chief Executive Officer to obtain a detailed design for the water feature in detention basin 2. 	
Carried 8/0	

14.2 Sports lighting audit report

File reference	CP105
Author's name	T Rogers
Author's position	Project Officer
Author's interest	Nil
Authorising officer's name	M Khosravi
Authorising officer's position	Director Infrastructure Services
Authorising officer's interest	Nil
Name of applicant / respondent	Not applicable
Date report written	8 June 2021
Previous meeting reference	Not applicable

Summary

The purpose of this report is to provide feedback on the requested lighting audit and its findings for the lighting assets throughout Paraburdoo and Tom Price.

The project was initiated within the Communities Directorate because of concerns raised by Council relating to the charging of fees to user groups. For reasons that are not clear, the audit was transferred to the Manager Assets and Projects within Infrastructure Services. A consultant was engaged to do the work, but after many months of inaction, that engagement was terminated.

Background

Stantec Australia was subsequently engaged to carry out an on-site audit on lighting towers and associated systems to check for compliance and give recommendations regarding fees and charges. Specifically, the scope of work was to:

- Analyse the Shire costs of infrastructure.
- Analyse the billing mechanisms, fees, and charges for users.
- Analyse the charge out mechanism of the utility providers.
- Investigate industry trends with specific examples of similar LGAs.
- Identify issues and make recommendations to improve the strategic delivery of sports lighting within the Shire.

The report also included an audit of existing infrastructure and made recommendations regarding the maintenance, upgrade and alignment of control systems used to manage those assets.

Attachment 14.2A

Comment

The following sports and field lighting locations were included in this report:

Tom Price

- Tjiluna Oval
- Clem Thompson Oval
- Clem Thompson Oval – Training field
- Area W Netball / Basketball Courts

Paraburdoo

- Judy Woodvine Oval
- Peter Sutherland Oval
- Netball Courts
- Tennis Courts
- Cricket Training Pitch

Asset Maintenance and Management

Lighting assets throughout the Shire have been designed and installed over several years and to various standards. Regarding the maintenance and ongoing management of the asset, the report recommendations are grouped into short and long-term considerations and are specific to the facility. Regarding follow up action, it will be necessary to:

- Obtain quotes for all short-term proposals (i.e., physical works) and include those for consideration in the 2021/2022 budget.
- Incorporate the longer-term proposals as part of the asset management plan, for prioritisation and funding over the duration of the plan.

Analysis of Costs, Billing Mechanisms and Fees and Charges

As part of the audit, Stantec highlighted the methods and charges that various other LGA's utilise to manage the billing associated with the lighting of community sporting facilities. This information will be useful for providing guidance and possible options for improvements that the SoA may be able to implement - to better manage our assets and to potentially review the charging mechanism. In summary, the LGA's listed have adopted the following fee structures:

- A flat rate charge based on hours of usage - intended to cover the cost of using the lights and facilities (not directly linked to electricity consumption).
- A variable charge which covers the cost of electricity plus a flat rate amount related to the on-going maintenance of assets (like SoA's current methodology).
- A variable charge based on the direct cost of the electricity consumed (linked to a remote monitoring system – Halytech).

Infrastructure Services is not responsible for the charging (billing) system or for managing how this is administered. That responsibility resides with Corporate Services (billing and receipts) and Projects and Procurement (Facilities). Regardless, Infrastructure Services staff have

completed an internal audit to determine how the charges are calculated, specifically: an internal review of the fees and charges system for lighting/electricity charges associated with community sporting facilities in Tom Price and Paraburdoo based on running costs versus cost recovery mechanisms.

Outcome of Internal Audit

An internal audit of fees and charges was conducted by Infrastructure Services staff on 20 May 2020. Only the facilities included in the Stantec report have been included in the cost audit.

A summary of the key issues because of that audit are as follows:

- For FY 2020/21 (as of the 19th of May) these assets have cost the Shire \$100,891 to operate and maintain.
- In terms of cost recovery, the Shire recovers \$21,385; the majority of which is associated with the electricity charge. The fixed charge (associated with the physical asset) makes up \$8,552.30 in revenue.
- The Paraburdoo facilities make up 74% of the total operating costs, but only recoups 22% of the total recovery.

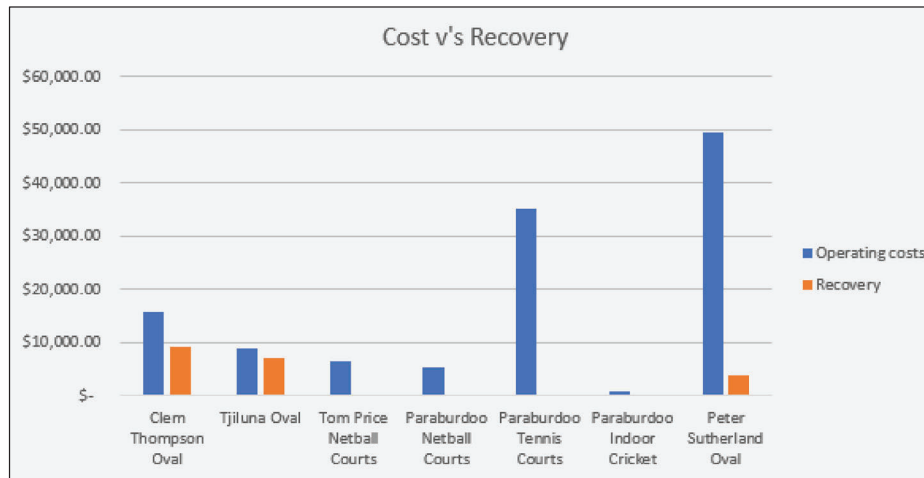
Facility	Operating costs	Recovery
Clem Thompson Oval	\$ 15,707.13	\$ 9,061.55
Tjiluna Oval	\$ 8,999.11	\$ 7,254.50
Tom Price Netball Courts	\$ 6,574.08	\$ 367.09
Paraburdoo Netball Courts	\$ 5,348.94	\$ 387.50
Paraburdoo Tennis Courts	\$ 35,333.01	\$ 41.82
Paraburdoo Indoor Cricket	\$ 860.00	\$ 361.64
Peter Sutherland Oval	\$ 49,454.30	\$ 3,911.47

Based on this audit, it is recommended the Shire move to a system of charging which is based on electricity charges only. Such a system is transparent and is simple to justify – the move would only result in a slight drop in revenue (\$8,552.30).

As a result, the physical assets would be treated as any other community asset – that is, the cost of managing, maintaining, and replacing the asset is a cost against the general rate, which the whole of the community contributes to.

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Consultation

Executive Leadership Team
Acting Manager Eastern Facilities
Manager Media and Communications

Statutory environment

There are no known statutory impediments for this matter.

Financial implications

The financial implications will be confirmed after all work necessary quotes are sourced. After this work is carried out the possible financial implications will be reported back to Council.

Strategic implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 01 Vibrant and Active Communities

Objective 02 Sustainable services, clubs, associations, and facilities.

Objective 03 Quality education, healthcare, childcare, aged care, and youth services.

Risk management

Risk has been assessed based on the Officer Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan
Financial Impact	Likely (4)	Minor (2)	Moderate (8)	\$100,000 - \$1 million.	Potential costs for carrying out this work is unknown. Scheduling in the works over multiple years will assist with reducing this risk.

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Reputation	Possible (3)	Minor (2)	Moderate (6)	Substantiated, localised impact on community trust or low media item.	Show transparency in the process followed for the audit.
Interruption to service	Low (3)	Moderate (3)	Moderate (6)	Medium term temporary interruption – backlog cleared by additional resources <1 week.	Schedule in all necessary maintenance to minimise the occurrence of possible down time.

The following Risk Matrix has been applied:

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix.

The perceived level of risk is "Moderate".

Policy implications

There are no known policy implications for this matter.

Voting requirement

Simple majority

Councillor interest declarations

Nil

Council Decision	99/2021
Moved	Cr L Rumble
Seconded	Cr D Diver
That with respect to the lighting audit, Council:	
1. Accept the findings of the report, as included in Attachment 14.2A;	
2. Approve the recommendation to investigate the Halytech system; and	
3. Authorise the investigation of updating the preferred charging mechanisms and report back on the possible implications to the Shire.	
Carried 8/0	

14.3 Proposed works – Twitchin Road and Old Onslow Road – Financial year 2020-2021

File reference	CM04.21
Author's name	A Sheridan
Author's position	Project Manager – Consultant
Author's interest	Nil
Authorising officer's name	M Khosravi
Authorising officer's position	Director Infrastructure Services
Authorising officer's interest	Nil
Name of applicant / respondent	Not applicable
Date report written	31 May 2021
Previous meeting reference	Agenda item 18.3 (Minute 39/2021) ordinary council meeting 16 March 2021

Summary

As a result of Request for Tender (RFT) 04.21 Reconstruction and Sealing of Twitchin and Old Onslow Roads and Reshape/Resheeting of Towera-Lyndon Road, Council (as per the Reference above) resolved to decline the Tender and authorised the Chief Executive Officer to undertake a “tender exempt” procurement process.

At the close of the Tender Exempt process, a total of three tenders were received with a significant variation in contract prices. All the tenders contained critical assumptions which would add considerably to project risk and a high probability of contract dispute. The risks were considered unacceptable.

A review process was undertaken to consider all the options available for delivery of the project and the advantages and disadvantages of each. As a result of that process, the only viable option, with a manageable risk profile, is to complete the works using In-house managed resources. Options for engaging with the City of Karratha to supply personnel and equipment are also being explored.

One of the rural road maintenance grading teams will remain on road maintenance and the second team (with our new Coordinator and other staff) will form the basis of a road construction team to deliver the Towera-Lyndon and Twitchin/Old Onslow Projects. Mobilisation to the Towera-Lyndon project will commence in the first week of June, with the re-sheeting works expected to take 5 weeks. It is planned to mobilise to the Twitchin / Old Onslow project site on or about 16 July.

During planning of the works, it has also become apparent that the overall project scope requires critical review to determine if the sealing of Old Onslow and Twitchin Road really is the best and most cost-effective way of providing access to the Old Onslow townsite (and the eastern bank of the Ashburton River).

The purpose of this report details the process and considerations leading up to this point and to recommend a course of action for undertaking the works and for looking into an alternative, and significantly more cost-effective option, for providing access to the Old Onslow townsite.

Background

In early 2021, tender documents for the subject works were prepared and advertised (RFT 04.21) as three separable portions of work as follows:

- Twitchin Rd – Portion A.

Construction of subgrade and sealed pavement SLK 0.50 to 5-56. Budget allocation - \$736,345 (municipal funds).

- Old Onslow Rd – Portion B.

Construction of subgrade and sealed pavement SLK 0.00 to 6.00. Remaining budget - \$2,612,195 (includes \$1.042m in RRG funds).

- Towera-Lyndon Rd – Portion C.

Reform and Resheet SLK 3.59 to 11.99. Remaining budget - \$413,292 (includes \$100K in RRG funds).

At the close of tenders on 3 Mar 2021, only one tender was received and that was well in excess of the available budget. The Tender Assessment process concluded that the compliant tender did not represent value for money. At the March OCM, Council resolved to decline the tender and authorised the CEO to undertake a tender exempt process in accordance with the Local Government (Functions and General) Regulations Part 4 Division 2. Invitations were sent to two additional earthmoving contractors and two local government authorities. At the close of tender submissions, tenders were received from the two earthmoving contractors; the two local government authorities declined the request to tender.

As a result of the original tender process and the tender exempt process, three tender submissions were received with two of the tenders being well above the budget allocation and one being within the budget allocation, but with several critical assumptions regarding material properties and other matters. Costing schedules for significant elements of work were also of significant concern regarding the lowest tender. It was therefore assessed that there were significant and unacceptable risks associated with awarding a tender for these works. To reduce risk, it would be necessary to complete a full survey and design (reducing risk associated with cut to fill quantities) and to specify the material which is to be used a road base. It is evident that local quarry material is not suitable for this purpose. The only viable alternative is to use Main Roads spec quarry material from the WA Limestone or Onslow

Quarries on Onslow Rd (approx. 50-60km from the Twitchin Rd / Onslow Rd intersection).

A summary of typical unit costs for the sealing of Twitchin and Old Onslow Roads is as follows:

- Road Base.

The cost to import road base material is \$45 per tonne including transport to site. The road profile requires a 10m formation (8 m road with 1 m shoulders) with a compacted depth of gravel of 150mm – i.e., 1,500 cubic metres per km. At a compaction rate of 2.2 t /cu m, each km of road would require 3,300 t of road base at a cost of \$45 / tonne – or \$150,000 per km.

- Bulk Earthworks.

The cost to widen and form the existing road, including drainage structures, culverts, stabilized floodways, and associated earthworks (including placement and compaction of road base) is estimated at \$200,000 per km.

- Sealing of the Road Pavement.

Typical costs for sealing a road pavement with a 2-coat bituminous seal is \$15 per square metre. Based on a sealed width of 8 metres, this equates to a rate of \$120,000 per km.

- Survey, Design and Project Management Costs.

Allow \$30,000 per km - which equates to \$300,000 for 10 km of road.

The total cost of road construction to a sealed standard is therefore around \$500,000 per km (possibly closer to \$450,000 per km using in-house managed resources), which is consistent with the tenders received assuming full spec road base material. Given that the intended scope for Old Onslow Rd was for 6 km of sealed road, the original budget allocation of \$2.8m appears to be in the right ballpark. However, the allocation of \$740,000 for Twitchin Rd would only be sufficient to widen and reconstruct drainage structures and floodways – not to construct a sealed road.

The fact that only one tender was received because of the original tender process is likely a reflection of a very tight civil construction market and strong demand for services because of the recent mining boom. Such conditions stimulate increases in pricing and a corresponding decrease in competition; neither of which is conducive to competitive pricing of civil projects. Anecdotal evidence from other local governments suggests that this is impacting the whole of the sector, not just the Shire of Ashburton.

Summary of Options Analysis

Completion of Resheeting Works on Towera-Lyndon Rd

The cost to mobilise a contractor to site for these works is around \$150,000. As there is only \$413,000 remaining on this project, the only viable option is to undertake the works using in-

house managed resources. An in-house team (Road Coordinator plus 2-3 pers / equipment) has been mobilized to complete these works over a 5–6-week period commencing in the first week of June.

Options for Twitchin and Old Onslow Roads.

The following options were considered:

- Option 1. Award Contract to Lowest Tenderer.

This would introduce unacceptable risks in terms of using non-conforming/unsuitable road base material. Other aspects of the tender also carry significant risk to the client (SoA). The only way to reduce that risk would be to survey and design the project properly (reducing risk associated with quantities) and specify the use of compliant road base material.

- Option 2. Negotiate a Day Labour Contract with Other Local Governments.

While this seems, on face value, to be a viable alternative, resources and equipment are not generally available from within local government. In addition, it is unlikely that anyone will take on the risks associated with completing the works in the absence of a detailed design.

- Option 3. Re-tender with a Refined Scope of Works.

This would involve a full survey and vertical / horizontal design (including floodways and culvert structures) to reduce risk associated with material quantities and specifying the need to use compliant road base material. This would result in a minimum 3–4-month delay – effectively deferring a start date until after the coming wet season.

- Option 4. Undertake the Works as an in-house Managed Project.

Involves full survey and design as for Options 1 and 4. Plan and prepare for mobilization over the next 2-3 months. Deploy a core team of personnel from SoA (4 pers) with casual employees (3 pers) for the duration of works. Engage with the City of Karratha regarding a construction team deployment to assist with the delivery of works.

Option 4 is considered the preferred option. The following action has already been initiated:

- Project Manager (consultant), Project Administrator and Supervisor appointed
- Formal request submitted to RRG re: carry over of RRG funds.
- Survey commenced on 23 May – completion on 8 June.
- Detailed Design – 8 June to 30 June.
- Quotes obtained for Supply of Quarry Material (RFT will be necessary)
- Investigations underway re: hire of equipment / casual staffing.
- On site planning meeting with key staff and City of Karratha Ops Manager - 23/24 May
- Propose to mobilise SoA crew on or about 16 July (following Towera-Lyndon works)
- Propose to mobilise City of Karratha Construction Team on or about 1 August.
- Proposed bypass route for Old Onslow Rd currently under investigation.
- All aspects of Logistic Support currently under investigation.

Overall Project Planning / Scoping

During the conduct of detailed project planning associated with Option 4, a potential bypass route was identified which would offer the option of closing the first six kilometers of Old Onslow Road to traffic for the duration of the works. The ability to construct without the need for traffic control creates a safer and more efficient worksite and would be less costly to construct. The potential bypass is attached.

Attachment 14.3A

Much of that bypass is along the access road to the Port of Ashburton (Warrirda Rd). As noted from the Attachment:

- Warrirda Rd is a Type 6 sealed road (i.e., a two-lane highway) - constructed to the same standard as Onslow Rd.
- Warrirda Rd essentially runs parallel to Old Onslow Rd.
- Warrirda Rd is a Main Roads Road and is open to the public.

The last section of the proposed bypass runs from Warrirda Rd to the BHP Macedon facility (shown in Blue on Attachment A). This is a Type 5 road and is again constructed to a high standard. The road is signed as a "Private Road". From the end of that road (just prior to the Macedon Facility) to Old Onslow Rd is a short gravel road - approximately 3.4 km in length. Even though it is unsealed, that road is constructed to a high standard (much better than the existing Old Onslow Rd for example).

In looking at the proposed bypass road it has become apparent that if permanent access to the Old Onslow townsite (and the eastern bank of the Ashburton River) could be accommodated via the proposed bypass, it would not be necessary to construct a parallel sealed road along Twitchin and Old Onslow Roads. Such an arrangement would obviously need a lot more investigation; to that effect, the CEO has been in contact with the Port of Ashburton to explore this option further.

The creation of a sealed road access to the Old Onslow townsite along Twitchin and Old Onslow Roads would involve the construction of 26 km of road at about \$500,000/km - \$13m. The construction of a sealed access via the proposed alternative would involve the sealing of 3.4km of high standard gravel road (at say \$300,000 per km) and 3 km of Old Onslow Rd to the Old Onslow townsite at \$500,000 per km. It is recommended that the 5 km section of Old Onslow Road south of that point be left as a well-constructed gravel road (say \$100,000/km). The all up cost of alternative would be about \$3m (a saving of \$10m).

This is not to suggest that works should not be undertaken on Twitchin Rd. As an alternative, it is recommended that the first 23 km of Twitchin Road (down to the Ashburton River Bridge) be widened and upgraded as a gravel road (including reconstruction of culverts and floodways). Due to the poor quality of local materials available in that area, it is recommended that quarry road base materials be used to create a stable and weather resistant road surface and that this material is mixed with the in-situ material and stabilised using a proprietary product (Polycom or similar) – with properly designed cement stabilized floodways. Costs are

estimated as follows:

- Widen/upgrade existing culvert structures - \$500,000
- Widen road, earthworks, and pavement at \$50,000 per km – \$1,125,000
- Imported road base material at \$50,000 per km - \$1,125,000
- Survey, design, and project management - \$300,000

The total estimated cost for reconstructing the first 23 km of Twitchin Rd is therefore \$3.05m (available funds - \$3.3m). Note that this assumes approval (through the RRG and MRWA) to transfer \$1m in RRG funds from Old Onslow Rd to Twitchin Rd.

Comment

As a result of the analysis and commentary as noted above, it is recommended that:

- The option of creating an alternative permanent access to the Old Onslow townsite be investigated in detail before any further works are undertaken with respect to the sealing of Twitchin and Old Onslow Roads.
- The scope of works for this project be amended to allocate all the funds to works associated with upgrading and resheeting Twitchin Road from SLK 0.05 to SLK 22.5 (as outlined above).
- A further report be provided to Council regarding rural road construction priorities over the next 5 years to facilitate longer term decision making regarding future road investment priorities.

Consultation

Chief Executive Officer
Project Team

Statutory environment

Local Government Act 1995

Section 3.57 – Tenders for providing goods or services

Council is required to invite tenders before it enters a contract of a prescribed kind under which another person is to supply goods or services.

Local Government Functions and General Regulations 1996

Regulation 11 – Tenders for providing goods or services

Tenders are to be publicly invited before entering a contract for another person to supply goods or services if the consideration of the contracts is, or is expected to be, more than \$250,000.

If within the last 6 months, publicly invited tenders have occurred and no submitted tender met the tender specifications or satisfied the value for money assessment, then a tender exempt procurement process may occur.

Financial implications

The 2020-2021 annual budget includes the following budget allocation:

- RU205 – Old Onslow Rd \$2,769,155
- RU206 - Twitchin Rd \$ 736,345

Note that \$1,024,393 is RRG funding. As per the Technical Working Group meeting on Friday 4th June 2021, we have received Technical Working Group approval to reallocate 21/22 funding to the Shire of Ashburton and 22/23 funding to the City of Karratha. An out of session Voting Group meeting needs to be convened to finalise approval to reallocate the funding.

Strategic implications

The project aligns with the Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 04 Quality Services and Infrastructure

Objective 01 Quality Public Infrastructure

Risk management

Risk has been assessed based on the Officer Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan
Reputation	Possible (3)	Moderate (3)	Moderate (9)	Lack of trust in the Shire to deliver capital road projects considering project issues which occurred on major projects during 2020.	Better and more comprehensive project scoping and planning. Stricter controls in terms of tendering, contract management and administration.
Financial Impact	Possible (3)	Major (4)	High (12)	Potential for contract dispute resulting in project delays, non-delivery of works and litigation	Survey underway. Detailed design prior to commencement of works. Full time Project Management, Site Supervision and Project Administration. Specify and use good quality road base materials.
Quality	Possible (3)	Major (4)	High (12)	Project involves forming, shaping,	Detailed design prior to

9.1A - Confirmation of Minutes
Unconfirmed Public Minutes Ordinary Council Meeting 15 June 2021

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan
				and sealing of gravel roads. The finished product must be high quality.	commencement of works. Full time Project Management, Site Supervision and Project Administration.
Time				Project runs over time with potential cost and reputation impacts.	Project works during dry season. Full time site management and project administration. Reduced risk through in-house managed project delivery.

The following Risk Matrix has been applied:

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix.

The perceived level of risk is "High" due to the financial value of the project and the risk to the Shire's reputation. Regular monitoring will be undertaken with specific procedures and controls engaged throughout the delivery of the project and will be consistently reviewed and managed.

Following the implementation of the risk mitigation strategies, as indicated above, the residual risk is assessed as medium.

Policy implications

FIN12 – Purchasing Policy

Council is committed to delivering best practice in the purchasing of goods, services and works which align with the principles of transparency, probity, and good governance.

Voting requirement

Absolute majority

Councillor interest declarations

Nil

Council Decision	100/2021
Moved	Cr R de Pledge
Seconded	Cr M Gallagh
That Standing Orders be suspended to permit Councillors to engage in discussion on the detail of the report at 1:46 pm.	
Carried 8/0	

Council Decision	101/2021
Moved	Cr D Dias
Seconded	Cr M Lynch
That Standing Orders be resumed to permit the meeting to proceed at 1:55 pm.	
Carried 8/0	

Council Decision	102/2021
Moved	Cr L Rumble
Seconded	Cr J Richardson
That with respect to the proposed Capital Works Project on Twitchin and Old Onslow Road, Council:	
1. Directs the Chief Executive Officer to further investigate an alternative access to Old Onslow townsite using Warrirda Rd and the access road to Macedon (as detailed in this report) as an alternative to constructing 26 km of Twitchin and Old Onslow Roads;	
2. Authorises the CEO to request the reallocation of RRG funds from Old Onslow Rd to the reconstruction and resheeting of Twitchin Rd from SLK 0.05 to SLK 22.5;	
3. Approves the transfer of funds associated with Old Onslow Road (RU205 – budget allocation of \$2,769,155) to Twitchin Rd (RU206 – budget allocation of \$736,345);	
4. Approves the carry-over of funds associated with the Twitchin Road project (RU206) from FY 2020-2021 to FY 2021-2022; and	
5. Directs the Chief Executive Officer to organise a further report for Council regarding proposed rural road investment (CAPEX) priorities for the next 5 years.	
Carried by absolute majority 8/0	

15 Projects and Procurement Reports

Nil

16 Councillor agenda items / notices of motion

Nil

17 New business of an urgent nature

Nil

18 Confidential matters

18.1 Award of Request for Quote – Community Lifestyle and Infrastructure Plan

File reference	AS.TE.05.07
Author's name	A Majid
Author's position	Director People and Place
Author's interest	Nil
Authorising officer's name	K Donohoe
Authorising officer's position	Chief Executive Officer
Authorising officer's interest	Nil
Name of applicant / respondent	Not applicable
Date report written	5 April 2021
Previous meeting reference	Not applicable

Confidential matters

This Report is confidential in accordance with s5.23 (2) of the *Local Government Act 1995* because it deals with matters affecting s5.23 (2):

“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”

Summary

A Request for Quotation (RFQ) for town planning and associated consultancy services was prepared and issued to several firms listed on the WALGA Preferred Supplier in accordance with the Shire's FIN12 Purchasing Policy.

Four submissions were received in response to the RFQ. An evaluation has been undertaken and an evaluation report has been prepared for Council's consideration.

Council is requested to endorse the assessment panel recommendation and authorise the Chief Executive Officer to award and enter a contract for the quoted services.

Council Decision

The quorum required for the meeting to continue, and consider this item, could not be met (as per Section 5.19 of the Local Government Act 1995). Council proceeded to the next item of business.

19 Next meeting

The next ordinary meeting of council is scheduled to be held at Clem Thompson Sports Pavilion, Stadium Road, Tom Price on 15 June 2021 commencing at 1:00 pm.

20 Closure of meeting

There being no further business the Presiding Member closed the meeting at 2:00 pm.



11.1A – Progress of Implementation of Council Decisions

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
39	27/09/16	Notice of Motion – Request a report on the formulation of a policy on Greening Ashburton.	That Council: 1. Approve the development of a whole of district integrated Landscaping Plan; and 2. At its 2016/17 Annual Budget Review, consider the potential of providing additional funds to progress district landscaping as outlined in the Plan. 3. Not progress a Local Law to control removal of trees on private property.	May 2020 Update. Resolution finalised, on going greening program subject to annual budget considerations. Provisions made in the 2020/21 budget to further progress the strategy. August 2020 Update. Project is ongoing within the provisions of the current budget. Information is correct as of 31/8/2020. October 2020 Update. Refer Decision Number 703/2019 regarding current tree planting program. November 2020 Update. Consultant engaged to assist with the development of a 5 year tree planting program ("Ashburton Planting Plan") within the three towns. Site visits arranged for first week in December (in consultation with Councilors). 5 Year Plan to be presented to Council in the New Year (date TBC). February 2021 Update. Stage 1 Consultant report received and reviewed. March 2021 Update. Stage 2 currently being prepared. Expected for review in April 2021.	30/06/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
255/2017	24/10/17	Proposed Permanent Closure of Pedestrian Access Way between Carob Street and Poinciana Street, Tom Price	That with respect to the proposed closure of the western PAW in Tom Price, Council: 1. Request the Minister for Planning, Lands, and Heritage to close the PAW located at the western end of Poinciana and Carob Streets, Tom Price as described in the attached plan 170307-CP-01 ATTACHMENT 14.3C; and 2. Advise all parties who have made submissions regarding this matter of the Council's request, noting the ultimate decision and any resultant amalgamations rest with the Minister.	Request sent to Minister. Advice sent to relevant parties. Awaiting response from Minister. (November 2017) Closure pending final agreement between land owner and Dept Planning, Lands and Heritage. DPLH in receipt of comment from Rio Tinto regarding underground assets in the PAW. (June 2020). DPLH awaiting easement requirements from Rio Tinto. (Reviewed - February 2021).	30/06/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
371/2018	22/05/18	Request for Excision and Dedication of Portions of Unallocated Crown Land and Portion of Mine Road as a Road	That with respect to the request to dedicate the subject portions of Unallocated Crown Land and Mine Road, Tom Price, Council: 1.Resolve, in accordance with section 56 of the Land Administration Act 1997, to request the excision and dedication of the portions of Unallocated Crown Land as depicted in the attached plans, being Lots 23, 24 and 26 on Deposited Plan 241873 and Lot 500 on Plan 409463, for the purpose of public roads; 2.Advise the Department of Planning, Lands and Heritage in writing of the Shire of Ashburton's commitment to indemnify the State, the Department and the Minister for Planning, Lands and Heritage; 3.Resolve, in accordance with section 56 of the Land Administration Act 1997, to request the excision and dedication of that portion of Mine Road being Lot 9 on Plan 047815 as depicted in the attached plan, for the purpose of a public road; and 4.Request Main Roads Western Australia of the Recommendations 1 and 3, above for the purposes of updating the Heavy Vehicle Network Road Network database.	DPLH progressing - delay with road to Archery Reserve due to mining tenement and access through RTIO's rail lease. Street names yet to be supplied by Traditional Owners and endorsed by Council. (June 2020). Director of Infrastructure to liaise with Main Roads Regional Manager for Main Roads to consider vesting of Mine Road for its inclusion on the state network. (Restricted Access Vehicles) 29.5.2020. DPLH advised a new NT process is required to determine actions required under NT Act. (Reviewed - December 2020). 6/10/20 Update. No change. Acting Director to liaise with MRWA Regional Manager. CEO to have discussions with RTIO regarding Mine Road. (April 2021)	30/06/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
493/2019	12/02/19	Onslow Water Tanks Public Art Project	<p>That with respect to the Onslow Water Tanks Public Art Project and the vision to develop and be part of a regional mural trail, the Tourism Development Committee recommends that Council:</p> <ol style="list-style-type: none"> 1. Seek quotes from persons listed in ATTACHMENT 7.1B for a mural project which includes site preparation, consultation and community workshops, design drafts and project execution; 2. Request the Chief Executive Officer to pursue grant/commercial funding to support the mural project; 3. Request the President and Chief Executive Officer to approach Rio Tinto to investigate similar mural projects and contributions for their water tanks in Tom Price and Paraburdoo in order to achieve a 'Water Tank Art Trail' for the Shire; and 4. Request the Chief Executive Officer to pursue a 'Water Tank Art Trail' for relevant Pilbara and Gascoyne towns with similar 'public art' trail possibilities. 	<p>International mural artist from Brisbane (Guido van Helten) has been engaged by the Shire Tourism & Economic Development Specialist. Third party contracts have been finalized. Community consultation to be undertaken in April 2020 to ascertain mural preference.</p> <p>Matter on hold due to COVID-19 Travel restrictions, Director Community Services to liaise with artist, consultation with community. 29.5.2020. (Agenda Discussions reassigned to Director Community Services)</p> <p>KB - 02.06.20 Will review documentation and assess process with Artist due to COVID 19. Funding has been requested to be extended due to current COVID 19 and accepted by Country Arts WA.</p> <p>01.07.20 - Until the border opens the Artist is unable to be here in WA. CEO has had discussions with Water Corporation in relation to support the water tank.</p> <p>Reviewed - KB 29.07.20: Artist has made contact with Shire offices. Currently in COVID lockdown in USA. Has requested additional funds due to COVID, however Director of Comm. Services is reviewing contract with Procurement to identify if WA artist can be used instead.</p> <p>KB 31.08.20: Procurement advised Project to be managed by Megan Walsh as C.O.O. Airport & Tourism - all relevant documentation including original RFQ will be emailed by Procurement by COB Fri 04/09/2020. Meeting scheduled 09/09/2020 with Megan, Kellie and Lisa in Onslow.</p> <p>9 February - The artist - Guido van Helten is due to</p>	21/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
533/2019	12/03/19	Smoke Free Signage Project	<p>That with respect to the Smoke Free Signage Project, that Council:</p> <ol style="list-style-type: none"> 1. Support the design of smoke free signage age by school children and for the designs then to be printed on to signs and placed in designated areas throughout the Shire; and 2. Consider a submission to the 2019/20 Annual Budget that provides for \$8000 towards the implementation of the Smoke Free Signage Project. 	<p>To be progressed in 3rd Term School Year in collaboration with WACHS.</p> <p>KB 24.01.2020 - Contact has been made with DoH with regards to last 3 engagement sessions with Tom Price, Paraburdoo, Pannawonica schools. Onslow has completed the engagement session in 2019.</p> <p>KB 29.03.2020 - Due to COVID19 current project on hold until school will resume. Discussions are supported by schools.</p> <p>KB 05.05.20 - Schools have returned back for Term 2 - 2020 - contact has been made with the schools to reinvestigate the engagement sessions due to COVID 19.</p> <p>Reviewed KB 29.06.20 - as per comments above. Term 3 for discussions with DoH & local schools.</p> <p>FP 31.08.2020 - looking for appropriate dates in Term 4 to hold WA Health Promotions workshop across the 5 primary schools within the Shire.</p> <p>FP 18.09.2020 - No dates yet secured working with schools to complete in term 4.</p> <p>JE 17.11.2020: Following up status with WA Health Promotions contact point. VB received correspondence from Panna team to follow-up with WA Health Promotions contact point.</p> <p>VB: 08/12/2020: Project will be resumed in 2021 as per discussions with Smoke Free WA.</p> <p>VB: 09/02.2021: Discussions with Paraburdoo and Tom Price Community Development Officers to follow up with primary schools.</p>	31/05/21

11.1A - Progress of Implementation

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status	Update	Estimated Completion
609/2019	16/07/19	Response to Notice of Motion of 12 February 2019 in regard to 'Request for Pedestrian Crossing', Council:	That with respect to response to Notice of Motion of 12 February 2019 in regard to 'Request for Pedestrian Crossing', Council: 1. Note the Report in response the Notice of Motion; 2. Approve the design and installation of 'Raised Plateau Speed Humps' in accordance with Main Roads Western Australia (MRWA) Standards at the crossing point from the shopping area to the library and immediately south of Stadium Road in principal; 3. Approve the installation of warning signs and road markings in accordance with the MRWA standards for 'Pedestrian Refuges' at the crossing points from the shopping area to the library and immediately south of Stadium Road; 4. Authorise the Chief Executive Officer to refer all works to MRWA for approval and undertake negotiations as required; and 5. Approve commissioning of a Traffic Impact Study's for Shared Traffic Zones in Onslow, Paraburdoo and Tom Price as determined necessary by the Chief Executive Officer.	Approved but works have not yet started. Further update to be provided. 11.12.19. Ongoing discussions with Main Roads continue. Further update will be provided by the end of June 2020. Initial works on Central Rd Tom Price crossover carried out in June, insufficient height, further works to be completed in July (08 July 2020). Final asphalt work completed, piano keys and additional signage due by end Aug. Information correct as of 31/8/2020. October 2020 Update. Additional line-marking quote being sourced for holding lines, islands, turning arrows and retro-reflective paint on existing piano keys. November 2020 Update. Line marking scheduled for November/December. February 2021 Update. Line marking complete. March 2021 Update. Consultants preparing signage options for consideration to notify pedestrians to give way to vehicles. April 2021 Update. Options considered and signage now ordered. Installation expected for late April/ early May.	10/05/21	

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Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
667/2019	22/10/19	Proposed Location for the Development of the New Shire of Ashburton Administration Centre	<p>That with respect to the Proposed Location for the Development of the New Shire of Ashburton Administration Centre, Council:</p> <ol style="list-style-type: none"> 1. In Principle Support, Lot 246 Poinciana Street, Tom Price (Current location of the Shire of Ashburton Administration Centre) with consideration for Lot 247 as part of the re-development; and 2. Request the Chief Executive Officer to prepare a Community Consultation Strategy and Business Plan to progress the development of a new Tom Price Administration Centre. 	<p>Progressing. Workshop to be held at 11 February 2020 OMC. Workshop held at March OMC with an endorsement for Lot 246 Poinciana Street, Tom Price. Commencement of Community Consultation & Strategy/Business Plan can now take place.</p> <p>26/03/2020. Internal engagement can continue, but community engagement has been placed on hold pending relaxation of the COVID-19 social gathering restrictions. April (2020)</p> <p>Application made to RTIO for acquisition of L247. (Reviewed August 2020). Concept designs completed, QS costings still be completed to present to council. (October 2020)</p> <p>Concept designs and costings still being addressed to present to council in February 2021 (December 2020)</p>	21/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
675/2019	22/10/19	Tom Price Flying Doctor Service (RFDS) Airstrip	<p>That with respect to Tom Price Royal Flying Doctor Service (RFDS) Airstrip, Council:</p> <ol style="list-style-type: none"> 1. Request the Chief Executive Officer to make further investigations into Lot 111 to determine if additional land is required outside the boundary; 2. Request the Chief Executive Officer to make enquiries to the Department of Planning, Lands and Heritage to: <ol style="list-style-type: none"> a. Obtain in-principle support for the creation of a Reserve over Lot 111 on Deposited Plan 19411900; and b. If required, request the boundary of Lot 111 be extended to meet the Royal Flying Doctor Service Airstrip Physical Characteristics; and 3. Request the Chief Executive Officer to provide a further report to Council: <ol style="list-style-type: none"> a. To formally request creation and management of a Reserve upon receipt of in-principle support from the Department of Planning, Lands and Heritage; and b. For consideration of compensation costs and indemnification of the Minister for Lands in relation to the native title future act process. 	<p>Investigations into Lot 111 (Cnr Karjini Drive and TP- Para Road) ongoing. Construction funding commitment of \$2.5M from State as pre-election promise. CASA advised AMS to submit finalised report prior to making comment. AMS to submit finalised report to CASA by EoM October after workshoping risks with RFDS. DoT advised of request to allocated funding to 2020/21 FY due to delays.</p> <p>WACHS to consider Helipad in design. (April 2021)</p>	31/05/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status	Update	Estimated Completion
700/2019	17/12/19	RFT 15.19 Urban Roads Asphalt Resealing Program	<p>That with respect to RFT 15.19 Urban Roads Asphalt Resealing Program, Council:</p> <p>1.Resolve that Report CONFIDENTIAL ATTACHMENT 15.1 is confidential in accordance with s5.23 (2) of the Local Government Act 1995 because it deals with matters affecting s5.23 (2) (c);</p> <p>"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."</p> <p>2.Award RFT 15.19 Urban Roads Asphalt Resealing Program to Urban Pavements Pty Ltd (T/A AAA Asphalt Surfaces) for a total of \$1,116,788.00 excluding GST per year, for a term of two years with the option to extend for an additional one year;</p> <p>3.Authorise the Acting Chief Executive Officer to enter into a contract with the preferred contractors; and</p> <p>4.Authorise the Acting Chief Executive Officer to manage the contract, including the provision of possible variations, providing the variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract and managed within the overall budget for the project; and</p> <p>5.Authorise the Acting Chief Executive Officer to enter into negotiations for a possible extension to the Contract for an additional 1 year to present back to Council for final approval.</p>	Contract is being drawn up to be sent to the successful tenderer.	Contract has been awarded, works to commence 21st May 2020. Year 1 completed June 2020 and Year 2 scheduled for July/August 2020.	30/06/22
			July 2020 Update. Second year works on Tom Price completed on 30th July 2020. Third year schedule to follow for Onslow in Aug 2021.			
			October 2020 Update. No change. Update as per 31/8/20 still current.			
			November 2020 Update. No change.			
			February 2021 Update. No change.			
			March 2021 Update. No change.			
			April 2021 Update. No Change			

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11.1A - Progress of Implementation of Council De

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
701/2019	17/12/19	RFT 21.19 Rural Unsealed Roads Renewal Program	<p>That with respect to RFT 21.19 Rural Unsealed Roads Renewal Program, Council:</p> <p>1.Resolve that Report CONFIDENTIAL ATTACHMENT 15.2 is confidential in accordance with s5.23 (2) of the Local Government Act 1995 because it deals with matters affecting s5.23 (2) (c);</p> <p>“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.”</p> <p>2.Award RFT 21.19 Rural Unsealed Roads Renewal Program to Goodwork Holdings Pty Ltd for a total of \$2,145,546.00 excluding GST;</p> <p>3.Authorise the Acting Chief Executive Officer to enter into a contract with the preferred contractors; and</p> <p>4.Authorise the Acting Chief Executive Officer to manage the contract, including the provision of possible variations, providing the variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract and managed within the overall budget for the project.</p>	<p>Contract executed.</p> <p>Contractor has started on site and works are underway. Further update in August 2020. (08 July 2020).Work progressing on Towera-Lyndon Road, moving to Ashburton Downs in August with a scheduled Sept completion. Information is correct as of 31/8/2020.</p> <p>October 2020 Update. Works have been suspended. Item for the November Council Meeting.</p> <p>November 2020 Update. November OCM Report authorised CEO to settle - this has been achieved. Balance of works to be retendered along with other rural unsealed road projects. Briefing / update to be provided at December OCM.</p> <p>February 2021 Update. Have advertised RFT. Closes 3rd March.</p> <p>March 2021 Update. Works have been included in RFT 04.21 valued at \$3.5m. Working to finalise a late report to Council for distribution on Friday March 12 and consideration at 16 March OCM. Allowing for finalisation of contract and mobilisation, start of works is planned in early May.</p>	21/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
748/2020	11/02/20	Tom Price Co-Located Emergency Services Facility	<p>That with respect to the Tom Price Co-Located Emergency Services Facility, Council:</p> <ol style="list-style-type: none"> 1. Authorise the Acting Chief Executive Officer to execute the funding instrument with Department of Fire and Emergency Services for the Co-located Emergency Services Facility; 2. Request the Acting Chief Executive Officer undertake public consultation in regards to a new a Co-located Emergency Services facility being located within Lots 400 and 46; 3. Pending community support for the location, request the Acting Chief Executive Officer to make an application to Western Australia Planning Commission to subdivide a dedicated lot for the Co-located Emergency Services Facility; 4. Authorise the Shire President and Acting Chief Executive Officer to execute and/or apply the Common Seal to any land title forms; 5. Authorise the allocation of \$480,000 to subdivision and headworks services through savings identified in the budget review process; and 6. Authorise the Acting Chief Executive Officer to seek further external funding for the project. 	<p>Endorsed at Feb OMC 2020.</p> <p>Reviewed 4.8.2020 - progressing. Funding secured via LGS \$1.7m and \$1.5m via Rio Tinto balance SOA \$850k. Architectural Design documentation is underway to form D & C Tender documentation. (October 2020)</p> <p>D & C Tender being prepared for advertisement via tenderlink late December 2020 early January 2021. (December 2020) Agenda Report to council February 2021 for Tender award (February 2021)</p>	01/12/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
749/2020	11/02/20	Onslow Property Street Addressing	That with respect to the Onslow Property Street Addressing, Council: 1. Endorse the allocation of street addresses to Onslow residences; and 2. Upon completion of the allocation of street addresses, endorse the application of house numbers kerbside.	Draft correspondence and social media notification compiled. Rates Officer to assign numbering. (March 2020) Rates Officer to assign Street Numbers prior to engaging contractor to paint kerb. Delay with change of staff. Project commenced with Rates Officer reviewing numbering in accordance with Australia Standards. (May 2021)	01/06/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
751/2020	11/02/20	RFT 22.19 Kerb and Gutter Renewal Program	<p>That with respect to RFT 22.19 Kerb and Gutter Renewal Program, Council:</p> <p>1.Resolve that Report CONFIDENTIAL</p> <p>ATTACHMENT 15.2 is confidential in accordance with s5.23 (2) of the Local Government Act 1995 because it deals with matters affecting s5.23 (2) (c);</p> <p>"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."</p> <p>2..Award RFT 22.19 Kerb and Gutter Renewal Program to KAT 5 Pty Ltd for a total of \$345,440.00 excluding GST, for a term of two years with the option to extend for an additional one year</p> <p>3.Authorise the Acting Chief Executive Officer to enter into a contract with the preferred contractor;</p> <p>4.Authorise the Acting Chief Executive Officer to manage the contract, including the provision of possible variations, providing the variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract and managed within the overall budget for the project; and</p> <p>5.Authorise the Chief Executive Officer to enter into negotiations for a possible extension to the Contract for an additional one year, referring back to Council for final approval.</p>	<p>RFT completed and awarded - Contract has been signed and project of works in progress. Program of Works commenced late June in Onslow, due for completion mid July. Further update to be provided by end July 2020. 2nd Year program due to start in Tom Price Aug/Sept(08 July 2020). Onslow works now completed for the 2019/20 financial year. Second year works will follow road reconstruction due at Tom Price in October/November 2020. Information is correct as of 31/8/2020.</p> <p>October 2020 Update. Contractor to complete additional minor works in Onslow - Sharkes Rd & Cornish Way - approx. \$25K. Planned completion by end October.</p> <p>Tom Price works planned for mid Nov. Includes works on Killawarra Dve, East Rd, Central Rd & Wattle St - \$225K.</p> <p>November 2020 update. Hold up with contractor providing quote for the planned works in Tom Price. Expect completion of works prior to Christmas (subject to contractor providing quotation and mobilising to complete works).</p> <p>February 2021 Update. Tom Price leg of program complete. Backfilling behind kerbing to be completed in the next week.</p> <p>March 2021 Update. Program complete.</p>	21/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
68/2020	14/04/20	Tropical Cyclone Damien - Road Flood Damage Repairs	That with respect to Tropical Cyclone Damien - Road Flood Damage Repairs, Council: 1. Note report on progress of road flood damage repairs; and 2. Provide a budget expenditure for the following roads for the AGRN899 Claim post TC Damien for remedial works: FW144 Pannawonica – Millstream Road \$1,150,000 FW145 Banjima Drive \$30,000 FW146 Ashburton Downs Road / Ashburton Downs – Meekatharra Road \$1,110,000 FW147 Hamersley – Mt Bruce Road \$70,000 FW 148 Roebourne – Wittenoom Road \$950,000 Funded by the following: 124542 DFES AGRN899 Claim TC Damien for remedial \$2,960,000 Budget Surplus \$350,000	Works completed on Pannawonica - Millstream (claim ready to be lodged post CEO authorisation), Banjima Drive (works completed and recoup being finalised), Ashburton Downs and Ashburton Downs - Meekatharra Road (Cost Estimate Completed and submitted to DRFAWA), Hamersley - Mt Bruce Road (recoup being finalised) and Roebourne - Wittenoom Road assessment in progress by contractor - awaiting further information regarding the costs to re-instate damaged sections. (08 July 2020). August 2020 Update. Awaiting second quote for Roebourne Wittenoom Road cost estimate, also waiting for DRFAWA signing Ashburton Downs / Ashburton Meeka Roads Cost Estimate to proceed to RFT. October 2020 Update. Cost estimate for DRFAWA (TC Damien) reviewed by both DFES and MRWA. Funding approved for \$1.5m. Approval requires works to be completed by 30 June 2022. November 2020 Update. Remaining works to be completed under contract in April-June 2021. RFQ awarded for professional services. RFT for works in Jan/Feb with report to Council at March OCM. Brief to be provided at December OCM. February 2021 Update. Report pending to March OCM. March 2021 Update. Working to finalise a late report to Council for distribution on Friday March 12 and consideration at 16 March OCM. Allowing for finalisation of contract and mobilisation, start of works is planned in early May.	30/06/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
77/2020	12/05/20	RFT 26.19 Mine Road, Pavement Renewal and Widening Works	<p>That with respect to RFT 26.19 Mine Road, Pavement Renewal and Widening Works, Council:</p> <p>2. Accept the tender, being that submitted by Comiskey's Contracting Pty Ltd to form a contract for tender RFT 26.19 Mine Road Pavement Renewal and Widening Works;</p> <p>3. Delegate, by Absolute Majority, in accordance with section 5.42 of the Local Government Act 1995, authority to the Chief Executive Officer to negotiate in regard to the contract for Tender RFT 26.19 Mine Road Pavement Renewal and Widening Works;</p> <p>a) Minor variations before entry into the contract, in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996.</p> <p>b) Variations, after the contract has been entered into, limited to variations which the variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract in accordance with Regulation 21A of the Local Government (Functions and General) Regulations 1996.</p> <p>4. Approve a budget variation for the 2019/20 Budget as outlined below:</p> <p>(a) Increase Expenditure Account GL Account 11244500 Mine Road Pavement Renewal and Widening Works by \$90,000 from \$450,000 to \$540,000.</p> <p>(b) Decrease Expenditure Account GL 11244600 Works Program Floodway Stabilisations by \$90,000 from \$498,000 to \$408,000.</p> <p>5. Accept that, should a Contract not be formed within</p>	<p>Contractors have been appointed draft contract being completed for approval and execution. Contract executed and works started in June 2020 and scheduled to be completed in July. (08 July 2020)</p> <p>Road reconstruction, widening and sealing undertaken in addition to asphalt overlay over areas subject to pavement stress. Awaiting linemarking, guideposts and guard rail install. An 3rd party engineering assessment will be conducted on the road to compare the completed works and the specification Information is correct as of 31/8/2020. October 2020 Update. Preliminary investigations completed in Sep 2020. More detailed pavement analysis recommended with that work commencing on 5 October (to determine cause of failure and recommend remediation options). Final report expected 23 October. Plan to have design and technical specification completed by end of the year for rectification works in April / May 2021.</p> <p>November 2020 Update. Final report indicates significant issues with the road base material - which is well below MRWA specs. This, combined with poor tender documentation (including no pavement assessment or design) and lack of testing during construction, have been assessed as major factors in the pavement failure. Further testing of the pavement (FWD) has been organised to determine a final pavement design. Timeline/cost for pavement reconstruction TBC.</p> <p>February 2021 Update. Contractor dispute finalised. Further discussions sought with RTIO regarding responsibility for this section of road.</p>	31/05/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
80/2020	09/06/20	National Redress Scheme (Participations of WA Local Governments)	<p>That with respect to the National Redress Scheme (Participations of WA Local Governments), the Audit and Risk Management Committee recommend, Council:</p> <ol style="list-style-type: none"> 1. Note the consultation undertaken and information provided by the Department of Local Government, Sport and Cultural Industries in regarding the National Redress Scheme and the participation of WA local governments; 2. Agree to participate in the National Redress Scheme as a State Government institution and is included as part of the State Government's declaration; 3. Authorise the Chief Executive Officer to execute a service agreement with the State, if a Redress application is received; 4. Note that a confidential report will be provided if a Redress application is received by the Shire of Ashburton; and 5. Request the Chief Executive Officer prepare a Shire of Ashburton Child Safe Policy in consultation with Council and the community for the consideration of Council as soon as practicable. 	09/06/2020 Previous Director Kellie Bartley advised workshop with Council and Community required to be completed.	30/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
84/2020	09/06/20	Award of RFT 03.20 Supply, Installation & Service of Airport Passenger Screening Equipment	<p>That with respect to RFT 03.20 Supply, Installation and Service of Airport Passenger Screening Equipment, Council:</p> <p>1.Resolve that Report CONFIDENTIAL ATTACHMENT 11.3 is confidential in accordance with s5.23 (2) of the Local Government Act 1995 because it deals with matters affecting s5.23 (2) (c);</p> <p>"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."</p> <p>2.Award RFT 03.20 Supply, Installation and Service of Airport Passenger Screening Equipment to L3 Harris for the tendered rate of \$386,470 excl of GST.</p> <p>3.Authorise the Chief Executive Officer to enter into negotiations with the successful tenderer prior to contracts being awarded; and</p> <p>4. Authorise the Chief Executive Officer to approve any budget variations in line with our legislative requirements of the International Monetary Exchange.</p>	<p>Contract has been awarded and in the process of being finalised. 8.7.2020.</p> <p>Awaiting signing of contract then equipment will be purchased. The delivery and installation will be confirmed upon finalisation of the contract. Reviewed 04.08.2020. 29/10/2020 Hold up on lead time of equipment due to COVID 19.</p> <p>9 February 2021- Equipment has been imported from USA, hold up in exportation due to COVID19.</p> <p>Awaiting confirmation of when it will be delivered to site having just arrived in Australia. Extension has been granted from Department of Home Affairs for new screening regime.</p>	21/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
92/2020	09/06/20	Pilbara Trails Strategy	That with respect to the request from the Pilbara Trails Advisory Group, Council: 1.Note the draft request for quote for Pilbara Trails Strategy – Stage 1 as contained in ATTACHMENT 14.1 ; and 2.Endorse support for the Draft Pilbara Trails Strategy – Stage 2 for a provision of \$10,000 in the draft 2020/21 Annual Budget.	KB 17.06.2020 - No further action required. Finance to add \$10K to 20/21 budgets KB 29.07.20: meeting held with Pilbara Trails advisory group 29/7/20 - TRC Tourism has been engaged for stage 1 of the Pilbara Trails Master Plan. SoA has provided contact details for relevant stakeholder for community engagement anticipated Sept/Oct within the region. KB 31.08.20: Meeting scheduled Fri 18.09.20 for KB, KD and Dept LG, Sport & Cultural Industry. KB 27.09.2020 - Meeting cancelled KB to reschedule and meet with DLGSCI proposed date 02.10.2020 09/02/2021: May have been transitioned to Manager Economic Development & Tourism.	21/04/21
116/2020	11/08/20	Community Lifestyle and Infrastructure Plan	That with respect to the Community Lifestyle and Infrastructure Plan, Council; 1.Authorise the Chief Executive Officer to engage with Rio Tinto in the development of a collaborative growth plan for the towns of Tom Price and Paraburdoo during the review of Council's integrated planning process; and 2.Request the Chief Executive Officer to establish an appropriate engagement mechanism to identify Rio Tinto Iron Ore's vision for growth.	Progressing - RFQ issued.	30/04/22

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
127/2020	11/08/20	Proposed Redefinition of Onslow Townsite Boundary	That with respect to the proposed amendment and redefinition of the Onslow Townsite Boundary, Council request the Minister for Lands to redefine the Onslow townsite boundary to include the addition of lands in accordance with the plan enclosed as ATTACHMENT 13.3B.	Progress with the Department of Lands. Letter has been issued, no reply as yet. 10 February 2021, advised by DPLH still Progressing.	30/04/21
132/2020	08/09/20	Internal Audit Function	That with respect to the proposal for Internal Audit Services acknowledge the role of the Audit and Risk Management Committee in preparing a three year internal audit plan and acknowledge the Chief Executive Officer is undertaking a spot audit on the following areas: <ul style="list-style-type: none"> • Identified matters in the 2019 Financial Management Review; • Procurement systems and controls; • Risk management practices; • Grants applications, payments and acquittals; and • Records management compliance with regulations and systems review. 	Moore Australia have been engaged to provide services. A report to the Audit & Risk Committee for March 2021 is to be prepared. (March 2021)	21/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
134/2020	08/09/20	Regulation 17 Review	<p>That with respect to the Regulation 17 Review, the Audit and Risk Management Committee recommends Council:</p> <ol style="list-style-type: none"> 1. Note the Regulation 17 Risk Audit ATTACHMENT 7.3 and its suggested improvements / opportunities; 2. Note that a further report will be provided to the Audit and Risk Management Committee for its consideration, outlining recommended positions on those improvement opportunities offered in the Internal Audit; and 3. Request a review of the Risk Register is to be presented to the 15 December 2020 Audit and Risk Management Committee. 	Risk review commenced, item to Audit & Risk Committee in March 2021.	30/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
136/2020	08/09/20	Confidential Item - Update on Wittenoom Litigation, use of Delegation, Wittenoom Steering Committee, Senior Counsel Legal Advice and Roebourne - Wittenoom Road, the Audit and Risk Management Committee recommend Council: 1.Receive the Confidential Item – Update on Wittenoom Litigation, Use of Delegation, Wittenoom Steering Committee, Senior Counsel Brief and Advice and Roebourne - Wittenoom Road (CONFIDENTIAL ATTACHMENT 8.1) and remain confidential in accordance s5.23 (2)(b) & (d) of the Local Government Act 1995; and 2.Ensure that the Shire management continue to provide Wittenoom related reports to the Audit and Risk Management Committee.	That with respect to the Confidential Item – Update on Wittenoom Litigation, Use of Delegation, Wittenoom Steering Committee, Senior Counsel Legal Advice and Roebourne - Wittenoom Road, the Audit and Risk Management Committee recommend Council: 1.Receive the Confidential Item – Update on Wittenoom Litigation, Use of Delegation, Wittenoom Steering Committee, Senior Counsel Brief and Advice and Roebourne - Wittenoom Road (CONFIDENTIAL ATTACHMENT 8.1) and remain confidential in accordance s5.23 (2)(b) & (d) of the Local Government Act 1995; and 2.Ensure that the Shire management continue to provide Wittenoom related reports to the Audit and Risk Management Committee.	Standing Item 10.02.2020 December 2019 Audit & Risk Management Committee received an update on these matters. Mr. Peter Kyle (Solicitor) has approached a Senior Counsel Lawyer who is prepared to undertake the task and Mr. Kyle will prepare a brief and once relevant Shire information is provided the matter can be progressed. Staff have been unable to provide requested information due to focus being on providing documentation for Rose case in NSW. 5.5.2020 Senior Counsel Discovery has recommenced. 10.8.2020 Progressing. Reviewed 25.8.2020 Discovery is progressing. 25.09.2020: Discovery is progressing, access to further archived documents will be completed in line with the introduction of the new records management system. 25.2.2021 Identified archived documents have been scanned.	21/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
142/2020	08/09/20	Records Management System	That with respect to the Records Management System, Council: 1. Endorse the five step approach outlined in this item to resolve access to historical records in a timely manner provide an industry standard recordkeeping platform to enable the organisation to manage information into the future. 2. Approve budget amendments for the 2020/21 Budget as follows: a. Increase new expenditure account Records Management System Project by \$247,500, from \$0 to \$247,500; and b. Increase Capital Income account GL no. 042477 Transfer from Financial Risk Reserve by \$247,500 from \$0 to 247,500.	Commenced assessment of physical files and specification for RFQ. RFQ closed 12/2/21 with 7 submissions. Panel recommendation with Director for approval. Contract to be awarded week of 8/3/21.	31/4/21
143/2020	08/09/20	Excision of Portion of Reserve 42090 for a New Onslow Police Station	That with respect to the Excision of Portion of Reserve 42090 for a New Onslow Police Station, Council: 1. Support the excision and surrender of portion of Reserve 42090 for the provision of a new Onslow Police Station; and 2. Endorse the Shire President and Chief Executive Officer to petition State Agencies for a new Onslow Police Station.	Correspondence to be sent to WAPOL and DPLH advising the Shire's support of excision and surrender of portion of R42090. (September 2020) Awaiting correspondence from LEMC to support contents of letter to WAPOL. (May 2021)	30/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
149/2020	08/09/20	Proposed Tom Price Hospital Site	<p>That with respect to the Proposed Tom Price Hospital Site, Council:</p> <p>1. Authorise the Chief Executive Officer to continue to liaise with State Government Agencies and Western Australia Country Health Services to provide support and determine the opportunities, risks and constraints of the proposed site as to its suitability for use as a future hospital site by the WA Country Health Service; and</p> <p>2. Authorise the Chief Executive Officer to commence a scheme amendment to redesignate the sites on Lot 400 on Deposited Plan 409078 and Lot 46 on Deposited Plan 413028, to an appropriate land use reserve or zone for the intended purpose of the site for the future development of the site.</p>	<p>Liaising with WA Country Health Services to identify a proposed site within Lot 400.</p> <p>Awaiting reply from WACHS in regards to the proposed allocated site location for the hospital.</p> <p>10 February 2021 - still awaiting reply from WACHS.</p> <p>WACHS advised A/Director Corporate Services on 26 February 2021 architectural plans have been completed for the proposed site and will be forwarded early March 2021.</p>	30/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
152/2020	08/09/20	Tom Price Pump Track – Location	<p>That with respect to the Tom Price Pump Track – Location, Council:</p> <ol style="list-style-type: none"> 1. Endorse portion of Reserves 49947 and 44839 as the location of the Tom Price Pump Track; 2. Resolve in accordance with the Land Administration Act 1997 to request the Minister for Lands to: <ul style="list-style-type: none"> a) Revoke management order of Reserves 44947 and 44839; b) Cancel Reserves 44947 and 44839 in accordance with section 51; c) Create a new Reserve as a result of the amalgamation of Reserves 44947 and 44839 for the purpose of "Recreation" or similar in accordance with section 41; d) Issue a Management Order for the new Reserve to the Shire of Ashburton for the purpose of "Recreation" or similar in accordance with section 46; 3. Authorise the Chief Executive Officer to extend the scope of the project to include all necessary works and inclusions to integrate these tracks into the existing facilities; and 4. Authorise the Chief Executive Officer to prepare and advertise any necessary Request for Tender or Request for Quotations for the Design and Construction of the Tom Price Pump Track and all associated works. 	Decision 677/2019 also refers. Project transferred to Development Services. On hold pending review of RFT. Project completion now planned for 31 May 2021 following wet season. (October 2020)	31/05/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
153/2020	08/09/20	Award of RFT 06.20 Tom Price Tennis Club Redevelopment	<p>That with respect to the Award of RFT 06.20 Tom Price Tennis Club Redevelopment, Council:</p> <p>1.Resolve that Report CONFIDENTIAL ATTACHMENT 17.1 is confidential in accordance with s5.23 (2) of the Local Government Act 1995 because it deals with matters affecting s5.23 (2)(c);</p> <p>“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.”</p> <p>2.Award RFT 06.20 Tom Price Tennis Club Redevelopment for the tendered fixed lump sum of \$1,211,465.89 ex GST; and</p> <p>3.Authorise the Chief Executive Officer to negotiate, execute and manage the Contract for Tom Price Tennis Club Redevelopment, including variations to the scope of works and contract value, providing this does not exceed the project budget or reduce the overall scope.</p>	Works commenced onsite for the Tennis Club, project is on track. Construction ongoing, completion April 2021 (February 2021).	30/04/21

11.1A - Progress of Implementation of Council Decisions

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
156/2020		Pilbara Regional Waste Management Facility- Status Report	That with respect to the Pilbara Regional Waste Management Facility- Status Report, the Pilbara Waste Management Committee; 1.Receive the report regarding the construction phase of the Pilbara Regional Waste Management Facility project, noting that it has been compiled in accordance with the Pilbara Regional Waste Management Facility Committee Terms of Reference; 2.Receive the Hybrid Alliance Model Contract and Total Waste Management Services report for the Pilbara Regional Waste Management Facility; and 3 Request the Chief Executive Officer investigate an appropriate Public Art Statement and report to the next Pilbara Regional Waste Management Committee.	October 2020 Update. Investigation of the entry statements is underway with concepts to be presented to Council at the December meeting. November 2020 Update. Superintendent sourcing concepts. Wont be available for December OCM at this stage. Other issues associated with completing the contract are a higher priority. February 2021 Update. Updated report will be provided at March Council meeting. March 2021 Update. Operational RFT 23.20 closes 12/3. Mandatory Meeting held on 24/2 with Site Inspection held 5/3. Excellent response received from National Waste companies. Updated report to be provided at April's OCM.	21/04/21
160/2020		Marketing and Communications Strategy 2020 - 2023	That with respect to the Marketing and Communications Strategy 2020 – 2023, Council: 1.Endorse the Marketing and Communications Strategy 2020 – 2023; and 2.Request the Chief Executive Officer to implement the Marketing and Communications Strategy 2020 – 2023.	Feb 2021 - redevelopment of website live. April - Brand positioning work underway.	31/10/21
174/2020		2020 Community Services Key Strategies Road Map	That with respect to 2020 Community Services Key Strategic Road Map Strategy, Council endorse the plan as contained in ATTACHMENT 14.3.	20.10.2020: KB Community Engagement Strategy RFQ commenced, Community Development Plan and Events Strategies to follow - due Feb 2021. 08/12/2020: AM Overall program to be reviewed and presented to Council in 2021 once appointment of a new Director has been completed.	31/12/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
180/2020		Confidential Item - Paraburdoo Community Hub Activation, Youth and Recreation Engagement	<p>That with respect to the request for the Paraburdoo Community HUB Activation, Youth and Recreation Engagement, Council:</p> <p>1. Support the proposal business case for the employment of a Youth Engagement Officer for a 12 month trial period as contained in CONFIDENTIAL ATTACHMENT 18.4A;</p> <p>2. Approve the following amendments to the 2020/21 Budget;</p> <p>a) Increase the Capital Income account Transfer from RTIO Partnership Reserve, GL no. 113275 by \$100,000, from \$0 to \$100,000;</p> <p>b) Create a new Operating Expenditure account for 'CHUB – Programs & Activities' by \$100,000, from \$0 to \$100,000;</p> <p>c) Decrease the Operating Expenditure account Salaries & Superannuation, GL no. 105023 by \$50,000 from \$390,474 to \$340,474;</p> <p>d) Decrease the Operating Expenditure account Salaries & Superannuation, GL no. 138001 by \$50,000 from \$273,831 to \$223,831; and</p> <p>e) Create a new Operating Expenditure account 'Salaries & Superannuation - CHUB Programs & Activities' by \$100,000, from \$0 to \$100,000.</p>	<p>20.10.2020: KB met with SPM and scheduled meeting with HR team for Fri 23/10/20 to discuss resource engagement.</p> <p>VB 17.11.2020: Preliminary discussions commenced with Youth Services stakeholders in September. Discussion with HR ongoing and will also include new Para Club Development Officer as he's experienced in this area.</p> <p>VB 08.12.2020: Stakeholder engagement in progress.</p> <p>VB 09.02.2021: Job Description and Advertising with HR.</p>	31/12/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
197/2020		Tom Price Tourist Information Bay	<p>That with respect to the Tom Price Tourist Information Bay capital works project, Council:</p> <ol style="list-style-type: none"> 1. Acknowledge the status of the project and risks associated with completing the structure and site works separately as outlined in this report. 2. Approve a budget amendment for the 2020/21 budget as follows: <ol style="list-style-type: none"> a) Increase capital expenditure job no. 15151 Tom Price – Upgrade Tourist Info Bay signage by \$222,000 from \$468,361 to \$690,361; and b) Increase Transfer from Reserve (Infrastructure) GL account no. 134856 by \$222,000 from \$0 to \$222,000. 	<p>Funding allocated in 2019/20 FY to undertake works on TP Info Bay. Works can't proceed until there is an agreement with Main Roads on the proposed Information Bay site at the Mine/Paraburdoo - Tom Price Roads.</p> <p>October 2020 Update. RFT for Visitor Information Bay Structure closed late September. Current budget \$468K. Tender for structure \$239K. Balance of \$229K insufficient for site works which are still to be designed and costed. Scope of Works / Costing being organised. Report to Council at November OCM seeking additional budget allocation.</p> <p>November 2020 Update. Additional funding allocated at Nov OCM to complete as a single project (structure & site works). Site works currently under design.</p> <p>February 2021 Update. RFT process currently underway.</p> <p>March 2021 Update. RFT to be advertised in March. Consultant composing to do list. Commencement of works expected May.</p> <p>April 2021 Update. RFT closes 16/4.</p>	19/05/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
198/2020	10/11/20	Slip Into Onslow Tourist Signage	That with respect to the Slip into Onslow Tourist Signage, Council: 1. Endorse the proposed location of the sign to be installed; and 2. Support the draft concept design and delegate authority to the Chief Executive Officer to liaise in with Council on the final design.	November 2020 Update. No further feedback has been received regarding the draft concept. Final design and location will be provided following MRWA approval of location. Installation (subject to MRWA approvals) in Apr/May 21. February 2021 Update. Structural Engineering design for footings organised. Size to be confirmed - awaiting advice from Media. March 2021 Update. Waiting on final design (as organised by Media and Communications). Redesign of structural footings. Installation planned for late March/ early April. April 2021 Update. Main signage arrived in Onslow. Installation due by end of April.	19/05/21

11.1A - Progress of Implementation of Council Decisions

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
199/2020	10/11/20	Onslow Seawall / Foreshore Stabilisation Project	That with respect to the Onslow Seawall / Foreshore Stabilisation Project: 1. Note the project status update as outlined in this report; and 2. Endorse the proposed Scope of Works as detailed in the report.	November 2020 Update. Cardno engaged to prepare design and technical spec. Plan for RFT in mid Jan, closing early Feb for works to be undertaken in Apr/May 2021. February 2021 Update. Council approached Cardno for estimate of design services. Due to receive estimate mid Feb 2021. March 2021 Update. Awaiting estimate and BOQ. April 2021 Update. Engineering drawings received from Cardno for Shire review 7/4.	19/05/21
205/2020	10/11/20	Confidential Item - RTIO - Strategic Partnership Review - Terms of Reference	That with respect to the RTIO - Strategic Partnership Review – Terms Of Reference review that Council authorise the Chief Executive Officer to engage a consultant to present back to Council for endorse a Governance Framework aligned to the Local Government Act 1995 and relevant Regulations.	VB 18.11.2020: No further instruction since Council decision at November OCM to engage a consultant - no information to SPM supplied. 08/12/2020: Currently with contractor as appointed by CEO. VB 09.02.2021: No further update	21/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
209/2020	10/11/20	Confidential Item- Onslow Marine Support Base - Request for Support	That Council: 1.Writes to the Director General, Department of Transport, requesting explanations as to why the Onslow Marine Supply Base is having difficulties in achieving compliance with relevant State and Commonwealth approvals to achieve a First Port of Entry Port. 2.Authorises the Shire President and Chief Executive Officer to continue to lobby for the economic development and support of the Onslow Marine Support Base as an important driver of economic sustainability and diversity for Onslow. 3.Writes to Mr Andrew Natta of Onslow Marine Support Base advising that Council is requesting an explanation from the Director General of the Department of Transport as to why difficulties are being experienced by Onslow Marine Support Base.	Letter sent no response - Unknown reply time from Departments. Shire President and CEO continue to lobby.	21/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
226/2020	11/12/20	Emergency Grading Works - Roebourne - Wittenoom Road	<p>That with respect to the Emergency grading of Roebourne-Wittenoom Road, Council:</p> <ol style="list-style-type: none"> 1. Endorse the actions of the Shire President and Chief Executive Officer in organising for the Emergency Works; 2. Note that, in organising for these works, the Shire President and Chief Executive Officer have acted in accordance with the provisions of the Local Government (Functions and General) Regulations 1996 Section 11 (2) (a), the Local Government Act Section 6.8(1)(c) and Council's Purchasing Policy (FIN12); and 3. Note that a budget adjustment will be required at the mid-year review to provide additional operation funds for the Rural Road Maintenance Program. 	<p>February 2021 Update. TLC awarded contract. Have completed 50kms or 134kms. Works stopped due to inclement weather early Feb. Should remobilise again early Feb.</p> <p>March 2021 Update. Works completed mid February.</p>	21/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
233/2020	21/12/20	Award of RFT 16.20 Onslow Airport Airside Civil Works Package	<p>That with respect to the Award of RFT 16.20 Onslow Airport Airside Civil Works Package, Council:</p> <p>2. Note the attached Evaluation and Recommendation Report CONFIDENTIAL ATTACHMENT 7.3; □</p> <p>3. Approve the budget amendment / increase of \$847,544.91 ex GST; with additional funds to be sourced from the Airport Reserve - GL 125204;</p> <p>4. Award RFT 16.20 Onslow Airport Airside Civil Works Package, for the tendered fixed lump sum of \$4,149,463.91 ex GST; and</p> <p>5. Authorise the Chief Executive Officer to negotiate, execute and manage the Contract for RFT 16.20 Onslow Airport Airside Civil Works Package, including variations to the scope of works and contract value, providing this does not exceed the revised project budget or reduce the overall scope.</p>	Progressing- Contract awarded to NTC Contracting, awaiting contractor to review, sign and return contract documents.	21/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
234/2020	21/12/20	Karijini Experience 2021 - Request for Additional Sponsorship	<p>That Council, with respect to the Karijini Experience 2021 – Request for Additional Sponsorship:</p> <ol style="list-style-type: none"> 1. Acknowledges the \$50,000 held in trust by Nintirri Centre Inc, as provided by the Shire in the 2019/2020 budget; and 2. Elevates the Shire of Ashburton's sponsorship level to that of Principal Sponsor, through the provision of an additional \$35,000, which is allocated into the 2020/21 budget to sponsor the Karijini Experience; and 3. Requests a report from the Chief Executive Officer in relation to the success or otherwise of the event in 2021 before any further funding is considered. 	13 April 2021 - Karijini Experience finished, report being prepared	03/05/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
10/2021	16/02/21	Wittenoom Bedford Fire Fighting Truck	<p>That with respect to the Wittenoom Bedford Fire Fighting Truck, Council:</p> <ol style="list-style-type: none"> 1. Acknowledge the social and cultural history associated with the Fire Truck in relation to Wittenoom; 2. Authorise the Chief Executive Officer to secure ownership of the Wittenoom Bedford Fire Truck from Mr Hartmann for up to \$5,000; 3. Authorise: <ol style="list-style-type: none"> a. A decrease to: <ol style="list-style-type: none"> i. GL 10561120 by \$3,000; ii. GL 10590920 by \$1,000; iii. GL 10513720 by \$1,000; b. An increase to new GL of \$5,000; 4. Request the Chief Executive Officer to investigate costs in relation to the restoration of the Fire Truck and provide those costs as part of budget deliberations for the 2021/22 Annual Budget. 	Shire is in the process of securing the purchase of the unit. Further information will be provided. (March 2021).	21/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status	Update	Estimated Completion
11/2021	16/02/21	Recording and Screening - Cat and Dog Desexing Campaign for Onslow and Pannawonica	That with respect to the Recording and Screening of the Cat and Dog Desexing Campaign for Onslow and Pannawonica, Council: 1. Authorise in advance by resolution the spending of grant monies accrued through sponsorship donations, namely, Increase Expenses Code GL 051013 by \$10,000 to run campaign pursuant to Local Government Act 1995; 2. Permit Mr Roberts from 'Projucer' to film, record and use footage from the campaign of the town site of Onslow and surrounds; and 3. Authorise the Chief Executive Officer to provide in – kind support as required in support of the campaign.	In progress. Update sent to required parties with actions. Waiting to finalise dates with Projucer. Confirm funding from PPA and Chevron - PO's to be sent. Business House and Onslow transit house - tentatively booked.		13/06/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
17/2021	16/02/21	Confidential Item - Proposal to Lease Portion of Lot 330 on Deposited Plan 402361, Onslow	<p>That in respect to Proposal to Lease Portion of Reserve 19291, Onslow, Council:</p> <p>1. Authorise the Chief Executive Officer to request the Minister for Lands create a reserve within Reserve 19291 for the purpose of "Waste" or similar, with Power to Lease;</p> <p>2. Endorse lease of a ~6,000 sqm portion of Lot 330 on Deposited Plan 402361 to CD Dodd Scrap Metal Recycling for the purpose of scrap metal recycling;</p> <p>3. Delegate authority to the Chief Executive Officer to negotiate the terms of the Lease Agreement with CD Dodd Scrap Metal Recycling, generally in accordance with the terms outlined in this report;</p> <p>4. Authorise the Chief Executive Officer to advertise details of the Lease Agreement for two weeks, with any submissions referred back to Council; and</p> <p>5. Subject to no submissions being received from advertising of the Lease, authorise the Chief Executive Officer to negotiate and execute the Lease Agreement, generally in accordance with the contents of this report, between the Shire of Ashburton and CD Dodd Scrap Metal Recycling.</p>	CD Dodd advised of outcome. Application made to DPLH regarding new creation of new reserve with Power to Lease. (May 2021)	31/07/21
18/2021	16/02/21	Confidential Item - Proposed Purchase of Land, Onslow	That with respect to the Confidential Item - Proposed Purchase of Land, Onslow, Council endorse the recommendation as contained within CONFIDENTIAL ATTACHMENT 19.3.	Offer accepted. Proforma raised for payment. Settlement due 17 May 2021. (May 2021)	30/04/21

11.1A - Progress of Implementation of Council Decisions

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
20/2021	16/03/21	Internal Audit - Year ending 30 June 2021	That with respect to the Internal Audit – Year Ended 30 June 2021, Council: 1.Acknowledge the contents of the Draft Internal Audit Report dated 15 February 2021, ATTACHMENT 7.1; 2.Acknowledge the specific training to be delivered by Moore Australia to assist Shire Administration in following best practice principles and processes focusing on procurement systems and controls in early 2021; and 3.Request the Chief Executive Officer to prepare a report updating the committee on progress of the recommendations identified within the report for the June 2021 Audit and Risk Management Committee meeting.	Further update to be provided at the September 2021 Audit and Risk Management Committee meeting.	31/08/21
27/2021	16/03/21	Onslow Water Tank Mural - Design Approval	That with respect to Onslow Water Tank Mural – Design Approval, Council approve and endorse the design for the Onslow Water Tank Mural by artist Guido van Helten.	13 April 2021 - Design is not yet completed	21/04/21
29/2021	16/03/21	Tom Price Flying Doctor Service (RFDS) Airstrip	That with respect to Tom Price Flying Doctor Service (RFDS) Airstrip, Council: 1.Authorise the Chief Executive Officer to liaise with WA Country Health Service regarding the inclusion of a Heli Pad in the design of the new Tom Price Health Service to be constructed circa 2023.	WACHS to be consulted. (April 2021)	31/05/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
30/2021	16/03/21	Deed of Surrender and Variation of Portion of Lot 9001 McAullay Road, Onslow	<p>That with respect to the Deed of Surrender and Variation, Portion of Lot 9001 McAullay Road, Onslow, Council;</p> <p>1. Endorse the Deed of Surrender and Variation of portion of Lot 9001 McAullay Road, Onslow to commence upon endorsement by Council ATTACHMENT 12.3;</p> <p>2. Authorise the Shire President and the Chief Executive Officer to affix the Common Seal to, and execute the Deed of Surrender and Variation between the Shire of Ashburton and Onslow Marine Support Base Pty Ltd; and</p> <p>3. Authorise the Chief Executive Officer to take such actions as are required and provided by the lease agreement to ensure compliance with the table as identified below by 30 June 2021.</p> <p>See table in minutes</p> <p>4. Authorise the Chief Executive Officer to request a design of the site to determine future use of the Lease Area and Lot 9001.</p>	Deed to be executed. (May 2021)	30/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
32/2021	16/03/21	Tom Price Skate Park Upgrades	<p>That with respect to the Tom Price Skate Park Upgrades, Council:</p> <ol style="list-style-type: none"> 1.Acknowledge the Building Better Regions Fund Round 5 application for \$300,000 as lodged prior to the closing date of 12 March 2021; 2.Endorse Option 2 (ATTACHMENT 15.1B) as the preferred concept with an estimated budget of \$950,000; and 3.Request the Chief Executive Officer to liaise with Rio Tinto Iron Ore to allocate \$400,000 from projected underspend Community Infrastructure and Services Partnership funds towards this project. (still waiting for an update from Rio Tinto). 	April 2021 Update. BBRF advice not expected until July 2021.	01/07/21
33/2021	16/03/21	Onslow Sun Chalets Redevelopment	<p>That with respect to the Onslow Sun Chalets Redevelopment, Council:</p> <ol style="list-style-type: none"> 1.Accept the Onslow Sun Chalets Concept Plan for the Onslow Sun Chalets as per ATTACHMENT 16.1; and 2.Accept and approve Stage One (1) works 3.Authorise a budget amendment from \$1m to \$1.4m so works can commence in the 2020/21 capital works program by: <ol style="list-style-type: none"> a.Decreasing GL BC099 Staff Housing – Security Improvements – All Houses by \$400,000 from \$1,129,220 (captured in 2020/21 Budget Review) to \$729,220; and b.Increasing GL 134260 Onslow Sun Chalets – Upgrade by \$400,000 from \$1,000,000 to \$1,400,000. 	Progressing	21/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
34/2021	16/03/21	Confidential Item - Senior Employee Designation and Directorate Changes	That with respect to the Senior Employee Designation and Directorate Changes, Council: 1.Reduce its organisational structure from five Senior Employees to four and consolidates the Development Services and Community Services into a new Directorate People and Place; 2.Support the appointment of the incumbent Director of Community Development to the position of Director of Corporate Services and for the Director Development Services to undertake the consolidated role of Director of People and Place; and 3.Appoint the Chief Executive Officer as its only Senior Employee pending a review of Council's policy in relation to Directorate names, and for this policy review to be presented to the April 2021 Ordinary Council meeting.	Senior Employee Policy will be presented to the April 2021 OCM. finalised and completed.	19/05/21
35/2021	16/03/21	Confidential Item - A1054, Onslow	That with respect to Confidential Item – A1054, Onslow, Council direct the Chief Executive Officer to manage this matter in accordance with Council's financial delegations.	CEO progressing. (May 2021)	19/05/21
36/2021	16/03/21	Confidential Item - Mt Brockman Road	That with respect to the Confidential Item - Mt Brockman Road, Council endorse the recommendation as contained within CONFIDENTIAL ATTACHMENT 19.2D	Letter to be executed and forwarded. (May 2021)	30/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
38/2021	16/03/21	Award of RFT 03.21 Flood Damage Repairs and Gravel Resheeting Works - Ashburton Downs and Ashburton Downs Meekatharra Roads	<p>That with respect to the Award of RFT 03.21 Flood Damage Repairs and Gravel Resheeting Works Ashburton Downs and Ashburton Downs Meekatharra Roads, Council:</p> <ol style="list-style-type: none"> 1. Decline to award the Tender for RFT 03.21 (ATTACHMENT 18.2); and 2. Authorise the Chief Executive Officer to undertake a tender exempt procurement process in accordance with the regulations and Shire of Ashburton Purchasing Policy, to obtain quotations from suitable contractors for the same Scope of Work; and 3. Present Council with a recommendation following evaluation of the quotations. 	April 2021 Update. Awaiting quotations.	30/04/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
	19/03/21	Confidential Item - Onslow Airport Helicopter Infrastructure Negotiations	<p>That with respect to the Confidential Item - Onslow Airport Helicopter Infrastructure Negotiations, Council:</p> <p>1. Delegate Authority to the Chief Executive Officer to make improvements to the Onslow Airport infrastructure up to \$250,000, including but not limited to:</p> <ul style="list-style-type: none"> • Transportable (offices and kitchenette) • Fire detection and alarm system • Security upgrades • Compressor enclosure • Emergency shower • Electrical upgrade <p>2. Approve the following budget amendment:</p> <p>a. Decrease:</p> <ul style="list-style-type: none"> i. GLW600 (Works Prog Airport General Maintenance) by \$129,525; ii. GL 11298930 (Incentive for Economic Development) by \$129,525; andb. Increase: i. New Capital Expenditure GL' (Airport Infrastructure) by \$259,050. <p>3. Endorse the imposition of new fees and charges for utilisation of the Onslow Airport Landside Area (3) as indicated in the table below:</p> <p>Airport Landside Area (3) 704 Monthly charge, year 20/21 Fee 1,173.33 GL TBA</p> <p>4. Endorse the Chief Executive Officer to provide local public notice of the above fees and charges which it proposes will be imposed from 1 April 2021; and</p> <p>5. Prior to any expenditure, endorse the Chief Executive Officer to invoice PHI International for six months for hangar and landside area costs.</p>	PHI have commenced mobilisation.	19/05/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
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48/2021 20/04/2021 Proposal To Lease Portion of Lot 9001, Onslow Airport - PHI International Australia PTY LTD

That with respect to the Proposal to Lease Portion of Lot 9001, Onslow Airport – PHI International Australia Pty Ltd, Council:

1. Endorse lease of portion of Lot 9001 being the Airport Hangar and offices including kitchenette to PHI International Australia Pty Ltd for the purpose of the operation of a base for helicopter operations and any services directly and necessarily related thereto or ancillary thereto;
2. Delegate authority to the Chief Executive Officer to negotiate the terms of the Lease Agreement with PHI International Australia Pty Ltd, generally in accordance with the terms outlined in this report and contained in the Draft Lease Agreement CONFIDENTIAL ATTACHMENT 11.4;
3. Authorise the Chief Executive Officer to advertise the intention of the disposition for two weeks, in accordance with S3.58 of the Local Government Act 1995 with any submissions referred back to Council; and
4. Subject to no submissions being received from advertising of the proposed disposition, authorise the Shire President and the Chief Executive Officer to affix the Common Seal to, and execute the Lease Agreement between the Shire of Ashburton and PHI International Australia Pty Ltd.

Local Public Notice being undertaken. (May 2021)

15/5/21

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status	Update	Estimated Completion
49/2021	20/04/2021	Monthly Financials and Schedule of Accounts Paid	<p>That with respect to the Monthly Financials and Schedule of Accounts Paid, Council:</p> <p>1. In accordance with the Local Government (Financial Management) Regulations 1996 regulation 13 (Payments from municipal fund or trust fund by Chief Executive Officer, Chief Executive Officer's duties as to etc.), confirms the Schedule of Accounts Paid for March 2021 CONFIDENTIAL ATTACHMENT 12.1A;</p> <p>2. In accordance with the Local Government (Financial Management) Regulations 1996 regulation 34 Financial activity statement required each month (Act s. 6.4), accepts the Statement of Financial Activity, and associated reports, for February 2021 ATTACHMENT 12.1B; and</p> <p>3. In accordance with the Local Government Act 1995 section 6.8 (Expenditure from municipal fund not included in annual budget), authorise the following expenditure:</p> <ul style="list-style-type: none">- Software (Infocouncil) \$45,082.- Onslow Building Lighting Replacement \$25,000.- Paraburdoo Tennis Court Lighting Replacement \$30,000. <p>and approves the following budget amendments:</p> <p>a. Decrease Expenditure Capital Projects Minor Works by \$45,082, from \$63,276 to \$18,194;</p> <p>b. Increase Expenditure Account Computer Expenses by \$45,082, from \$300,000 to \$345,0820.</p> <p>c. Decrease Tom Price Tennis Court Redevelopment by \$100,000, from \$1,570,000 to \$1,470,000.</p> <p>d. Increase Onslow Building Lighting Replacement by \$25,000, from \$0 to \$25,000;</p>	Noted.	Budget amended accordingly	

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11.1A - Progress of Implementation of Council Decisions

Decision Number	Date of Meeting	Item Title	Council Decision	Officers Status Update	Estimated Completion
50/2021	20/04/2021	Acceptance of Annual Report and Determination of Date for Annual General Meeting of Electors	That with respect to the Acceptance of the Annual Report and Determination of Date for Annual General Meeting of Electors, Council: 1. In accordance with the Local Government Act 1995 section 5.54 (Acceptance of annual reports), accepts the 2019-2020 Annual Report (ATTACHMENT 12.2); and 2. In accordance with the Local Government Act 1995 section 5.27 (Electors' general meetings), sets the date, time, place, and purpose of the 2020-2021 annual general meeting of electors to be 18 May 2021 commencing 4:00pm at the Onslow Multi-purpose Centre, Cnr Hooley Avenue and McGrath Avenue, Onslow. The purpose of the annual general meeting of electors is to be: a. Contents of the 2019-2020 Annual Report; and b. Any other general business.	Local Public Notice being undertaken. (May 2021)	
53/2021	20/04/2021	Adoption of Standards for Chief Executive Officer Recruitment, Performance and Termination	That with respect to adoption of standards for the Chief Executive Officer recruitment, performance and termination, Council, in accordance with the Local Government Act 1995 Section 5.39B (Adoption of model standards), adopts the Model Chief Executive Officer Standards (ATTACHMENT 12.3a), without modification	Website updated	