



**Shire of Ashburton**  
**Ordinary Council Meeting**  
**Agenda**  
**(Public)**

**Clem Thompson Pavilion, Stadium Road**

**Tom Price**

**19 October 2021**

**1:00pm**



**Shire of Ashburton  
Ordinary Council Meeting**

Please be advised an Ordinary Council Meeting will be held at 1:00pm on Tuesday 19 October 2021 at Clem Thompson Sports Pavilion, Stadium Road, Tom Price.

A handwritten signature in blue ink that reads 'Nathan Cain'.

N Cain  
A / Chief Executive Officer  
13 October 2021

**Disclaimer**

*Recommendations and resolutions contained in this document 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 Council in respect of the application. No responsibility whatsoever is implied, or accepted, by the Shire of Ashburton for any act, omission, statement, or intimation occurring during a Council meeting.*

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## **1 Declaration of opening**

The A / Chief Executive Officer declared the meeting open at x:xxpm.

### **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.

### **1.2 Election of Shire President**

In accordance with Division 1 of Schedule 2.3 of the *Local Government Act 1995* the election of the Shire President will be undertaken by the A / Chief Executive Officer.

### **1.3 Election of Deputy Shire President**

In accordance with Division 2 of Schedule 2.3 of the *Local Government Act 1995* the election of the Deputy Shire President will be undertaken by the newly elected Shire President.

## **2 Announcement of visitors**

To be informed at the meeting.

## **3 Attendance**

### **3.1 Present**

#### Elected members

Cr R de Pledge	Ashburton Ward
Cr K White	Onslow Ward
Cr M Gallanagh	Pannawonica Ward
Cr L Rumble	Paraburdoo Ward
	Paraburdoo Ward
Cr J Richardson	Tablelands Ward
	Tom Price Ward
	Tom Price Ward
	Tom Price Ward

Employees

N Cain	A / Chief Executive Officer
T Dayman	A / Director Corporate Services
M Khosravi	Director Infrastructure Services
C McGurk	Director Projects and Procurement
A Lennon	Manager Media and Communication
A Furfaro	Governance Officer
N Jeffery	Executive Assistant Corporate Services

Guests

To be informed at the meeting.

Members of the public

To be informed at the meeting.

Members of the media

To be informed at the meeting.

**3.2 Apologies**

K Donohoe                      Chief Executive Officer

**3.3 Approved leave of absence**

Nil

**4 Question time**

**4.1 Response to previous questions taken on notice**

Nil

**4.2 Public question time**

To be informed at the meeting.

**5 Applications for leave of absence**

Nil

## **6 Declaration by members**

### **6.1 Due consideration by Councillors to the agenda**

Councillors will be requested to note they have given due consideration to all matters contained in this agenda.

### **6.2 Declarations of interest**

A member who has an Impartiality, Proximity or Financial interest in any matter to be discussed at this meeting must disclose the nature of the interest either in a written notice, given to the Chief Executive Officer, prior to the meeting, or at the meeting immediately before the matter is discussed.

A member who makes a disclosure in respect to an interest must not preside at the part of the meeting which deals with the matter, or participate in, or be present during any discussion or decision-making process relative to the matter, unless the disclosing member is permitted to do so under Section 5.68 or Section 5.69 of the *Local Government Act 1995*.

[To be advised]

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

To be advised at the meeting.

## **8 Petitions / Deputations / Presentations**

### **8.1 Petitions**

To be advised at the meeting.

### **8.2 Deputations**

To be advised at the meeting.

### **8.3 Presentations**

To be advised at the meeting.

## **9 Confirmation of minutes**

### **9.1 Confirmation of Council meetings**

Ordinary Council Meeting – 28 September 2021

**Attachment 9.1A**

### **9.2 Receipt of committee and other minutes**

Audit and Risk Committee – 28 September 2021

**Attachment 9.2A**

### **9.3 Recommendations of committee meetings – En bloc**

That Council, with respect to recommendation of committee meetings resolves the following recommendations en bloc –

#### Audit and Risk Management Committee – 28 September 2021

Committee Recommendation 30/2021

That with respect to the Compliance Audit Return Status Update, the Audit and Risk Management Committee recommends Council receive the update.

Committee Recommendation 31/2021

That with respect to the Regulation 17 Review – 2020 Program status update, the Audit and Risk Management Committee recommends Council receive the update.

Committee Recommendation 32/2021

That with respect to the 2020-2021 Internal Audit Status Update, the Audit and Risk Management Committee recommends Council receive the update.

### **9.4 Recommendations of committees**

To be advised at the meeting.

## **10 En bloc resolutions**

### **10.1 Agenda items adopted en bloc**

To be advised at the meeting.



## 11 Office of the Chief Executive Officer reports

### 11.1 Appointment of Councillors to Committees of Council

<b>File reference</b>	GV04
<b>Author's name</b>	A Furfaro
<b>Author's position</b>	Governance Officer
<b>Author's interest</b>	Nil
<b>Authorising officer's name</b>	N Cain
<b>Authorising officer's position</b>	A / Chief Executive Officer
<b>Authorising officer's interest</b>	Nil
<b>Name of applicant / respondent</b>	Not Applicable
<b>Date report written</b>	6 October 2021
<b>Previous meeting reference</b>	Ordinary Meeting of Council 22 October 2019

#### Summary

Council is required to conduct certain business through Committees.

At the meeting following each local government election process, Councillors nominate and may be elected to be a member of each of those Committees.

Council is requested to establish the purpose and operations of its committees along with appointing members to the respective committee and, where acceptable, delegating responsibilities to the committees.

#### Background

Council has established the following Committees of Council –

- Ashburton Economic and Tourism Development Committee
- Audit and Risk Management Committee
- Paraburdoo Community Hub (CHUB) Committee
- Pilbara Regional Waste Management Facility (PRWMF) Committee
- Chief Executive Officer's Performance Review Occasional Committee
- Reconciliation Action Plan Committee

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The Paraburdoo Community Hub (CHUB) Committee and the Pilbara Regional Waste Management Facility (PRWMF) Committee have been agreed at Council workshops as having met their objectives and are recommended to be disbanded.

The Reconciliation Action Plan Committee and Ashburton Economic and Tourism Development Committee have not met for many years.

The details of each of the Committees are as follows –

- Ashburton Economic and Tourism Development Committee
  - The general purpose is to identify and develop strategies to promote tourism so there is a positive impact at a regional level and to advise Council on suggested actions to address relevant issues raised with, and by, the Committee.
  - Ideally one Councillor from each town ward.
  - All other Councillors are Deputies.
  - Councillor membership of four (4) Councillors with a quorum of three (3) Councillors.
  - Meeting cycle is as required.
  - Responsibility assigned to the Chief Executive Officer.
  - *This Committee is recommended to be disbanded.*
  
- Audit and Risk Management Committee
  - The general purpose is to undertake the legislative function of guiding and assisting Council in relation to audits and in dealing with matters relating to the Auditor.
  - Traditionally all Councillors have been members (nine (9) Councillors) with a quorum of five (5) Councillors.
  - Meeting cycle is at least once annually (as legislated).
  - Responsibility assigned to Director Corporate Services.
  
- Paraburdoo Community Hub (CHUB) Committee
  - The general purpose is to undertake the task of overseeing the CHUB construction project and to make recommendations to Council.
  - Councillor membership of two (2) Paraburdoo Ward Councillors and the Shire President (total of three (3) Councillors) with a quorum of two (2) Councillors.
  - All other Councillors are Deputies.
  - Meeting cycle was as required.
  - Responsibility assigned to Director Projects and Procurement.
  - *This Committee has been identified as having met all objectives and is recommended to be disbanded.*

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- Pilbara Regional Waste Management Facility (PRWMF) Committee
  - The general purpose is to undertake the task of overseeing the PRWMF construction project and to make recommendations to Council.
  - Councillor membership of three (3) Councillors with a quorum of two (2) Councillors.
  - All other Councillors as Deputies.
  - Meeting cycles was as required.
  - Responsibility assigned to Director Infrastructure Services.
  - *This Committee has been identified as having met all objectives and is recommended to be disbanded.*
  
- Chief Executive Officer's Performance Review Occasional Committee
  - The general purpose is to undertake the task of overseeing the legislative function of reviewing the performance of the Chief Executive Officer.
  - Traditionally all Councillors have been members (nine (9) Councillors) with a quorum of five (5) Councillors.
  - Meeting cycle is at least once annually (as legislated).
  - Responsibility assigned to the Chief Executive Officer.
  
- Reconciliation Action Plan Committee
  - The general purpose is to undertake the task of overseeing the development of the Reconciliation Action Plan and to make recommendations to Council.
  - Traditionally Council has set the membership at five (5) Councillors (which means three (3) are required for a quorum).
  - All other Councillors are Deputies.
  - Meeting cycle is as required.
  - Responsibility assigned to Director People and Place.

### **Comment**

Councillor committee membership on Committees of Council is at the discretion of Council.

The following Committees of Council are required by legislation -

- Audit and Risk Management Committee
- Chief Executive Officer's Performance Review Occasional Committee

Councillor numbers for the above committees have previously involved all Councillors, however this may be amended via resolution if there is a desire for fewer Councillors.

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The following Committees of Council are recommended for disbanding as they have achieved the set objectives –

- Paraburdoo Community Hub (CHUB) Committee
- Pilbara Regional Waste Management Facility (PRWMF) Committee

The following Committees of Council have not met for some time, and it is at the discretion of Council to continue these Committees or not –

- Ashburton Economic and Tourism Development Committee
- Reconciliation Action Plan Committee

### **Consultation**

Shire President  
Executive Management Team

### **Statutory environment**

*Local Government Act 1995*

*Section 5.8 - Establishment of committees*

A local government may establish Committees of three (3) or more persons (not necessarily Councillors) to assist the Council and to exercise the powers and discharge the duties of the Shire (that can be delegated).

*Local Government Act 1995*

*Section 5.11 – Committee membership, tenure of*

Appointments to Committees continue until –

- The person no longer holds the office by virtue of which the person became a member,
- The person resigns from membership,
- The committee is disbanded, or
- The next ordinary election day.

### **Financial implications**

Expenditure for meeting fees and costs associated with committees is included in the annual budget and is considered minimal.

### **Strategic implications**

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

Goal 5 Inspiring Governance  
 Objective 2 Community ownership  
 Strategic Direction Ensure equitable and broad representation on committees and in community engagement activities to ensure there is well informed decision making.

### 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 not being appropriately represented at community and external groups if no delegates are appointed.	Unlikely (2)	Minor (2)	Low (4)	<u>Reputation</u> Substantiated, localised impact on community trust or low media item.	Councillors requested to nominate for vacancies, as recommended.

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.

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 routine nature of Committee participation and nomination.

### Policy implications

There are no known policies or policy implications relating to this Item.

### **Voting requirement**

Absolute majority

### **Councillor interest declarations**

Nil

### **Officer recommendation**

That with respect to the appointment of Councillors to Committees of Council, and pursuant to Section 5.8 of the *Local Government Act 1995*, Council,

- a Disbands the following Committees –
  - Paraburdoo Community Hub (CHUB) Committee
  - Pilbara Regional Waste Management Facility (PRWMF) Committee
  
- b Creates the following Committees, with the following general terms –
  - Ashburton Economic and Tourism Development Committee
    - The general purpose is to identify and develop strategies to promote tourism so there is a positive impact at a regional level and to advise Council on suggested actions to address relevant issues raised with, and by, the Committee.
    - Meeting cycle is as required.
    - Responsibility assigned to the Chief Executive Officer.
  
  - Audit and Risk Management Committee
    - The general purpose is to undertake the legislative function of guiding and assisting Council in relation to audits and in dealing with matters relating to the Auditor.
    - Meeting cycle is at least once annually (as legislated).
    - Responsibility assigned to Director Corporate Services.
  
  - Chief Executive Officer's Performance Review Occasional Committee
    - The general purpose is to undertake the task of overseeing the legislative function of reviewing the performance of the Chief Executive Officer.
    - Meeting cycle is at least once annually (as legislated).
    - Responsibility assigned to the Chief Executive Officer.

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- Reconciliation Action Plan Committee
  - The general purpose is to undertake the task of overseeing the development of the Reconciliation Action Plan and to make recommendations to Council.
  - Meeting cycle is as required.
  - Responsibility assigned to Director People and Place.

And

c Appoints the following Councillors to the following Committees –

- Ashburton Economic and Tourism Development Committee
  - Councillor \_\_\_\_\_
  - Councillor \_\_\_\_\_
  - Councillor \_\_\_\_\_
  - Councillor \_\_\_\_\_
  
- Audit and Risk Management Committee
  - Councillor K White
  - Councillor L Rumble
  - Councillor R de Pledge
  - Councillor J Richardson
  - Councillor M Gallanagh
  - Councillor \_\_\_\_\_
  - Councillor \_\_\_\_\_
  - Councillor \_\_\_\_\_
  - Councillor \_\_\_\_\_
  
- Chief Executive Officer's Performance Review Occasional Committee
  - Councillor K White
  - Councillor L Rumble
  - Councillor R de Pledge
  - Councillor J Richardson
  - Councillor M Gallanagh
  - Councillor \_\_\_\_\_
  - Councillor \_\_\_\_\_
  - Councillor \_\_\_\_\_
  - Councillor \_\_\_\_\_

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- Reconciliation Action Plan Committee
  - Councillor \_\_\_\_\_
  - Councillor \_\_\_\_\_
  - Councillor \_\_\_\_\_
  - Councillor \_\_\_\_\_
  - Councillor \_\_\_\_\_



## 11.2 Allocation of Councillors to Working Groups and External Groups

<b>File reference</b>	GV04
<b>Author's name</b>	A Furfaro
<b>Author's position</b>	Governance Officer
<b>Author's interest</b>	Nil
<b>Authorising officer's name</b>	N Cain
<b>Authorising officer's position</b>	A / Chief Executive Officer
<b>Authorising officer's interest</b>	Nil
<b>Name of applicant / respondent</b>	Not Applicable
<b>Date report written</b>	8 October 2021
<b>Previous meeting reference</b>	Ordinary Meeting of Council 22 October 2019

### Summary

Council has previously provided Councillor representation on working groups and external groups.

Council is requested to confirm continuing participation requirements on current groups and to nominate which Councillors will represent Council on those groups.

### Background

Following, and since, the 2019 Local Government elections, Council has provided Councillor representation to the following working groups and external groups –

- Onslow Local Emergency Management Committee
- Pannawonica Local Emergency Management Committee
- Inland Local Emergency Management Committee
- Bush Fire Advisory Committee
- Partnership Governing Committee (Rio Tinto)
- Working Together Onslow (Chevron)
- Australia Day WA – Community Citizen of the Year Award Working Group
- Onslow Senior Citizens Units Working Group
- Pilbara Regional Council
- Pilbara Regional Council Various Projects Working Groups
- Regional Road Group

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- Onslow Community Garden Management Committee
- Pilbara District Emergency Management Committee
- Western Australian Local Government Association Pilbara Country Zone
- Development Assessment Panel
- Onslow Tourism and Progress Association
- Ashburton Land Conversation District Committee
- Roebourne / Port Hedland Land Conservation District Committee
- Lyndon Land Conservation District Committee
- Onslow Chamber of Commerce and Industry
- Pilbara Inland Chamber of Commerce and Industry

The Pilbara Regional Council and the Pilbara Regional Council Various Projects Working Groups have been disbanded (one meeting left for the Pilbara Regional Council).

The Australia Day WA – Community Citizen of the Year Award Working Group and the Onslow Tourism and Progress Association have not previously met.

The Onslow Community Garden Management Committee have not met for many years.

The details of each of the groups is as follows –

- Onslow Local Emergency Management Committee
  - The general purpose is to undertake the task of overseeing the legislative function of prescribed local emergency management for the area.
  - Councillor representation of the Onslow Ward Councillor and the Ashburton Ward Councillor.
  - All other Councillors as Deputies.
  - Meeting cycle is as required.
  - Responsibility assigned to Director People and Place.
- Pannawonica Local Emergency Management Committee
  - The general purpose is to undertake the task of overseeing the legislative function of prescribed local emergency management for the area.
  - Councillor membership of the Pannawonica Ward Councillor and any other Councillor.
  - All other Councillors as Deputies.
  - Meeting cycle is as required.
  - Responsibility assigned to Director People and Place.

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- Inland Local Emergency Management Committee
  - The general purpose is to undertake the task of overseeing the legislative function of prescribed local emergency management for the area.
  - Councillor membership of a Paraburdoo Ward Councillor and a Tom Price Ward Councillor
  - All other Councillors as Deputies.
  - Meeting cycle is as required.
  - Responsibility assigned to Director People and Place.
  
- Bush Fire Advisory Committee
  - The general purpose is to undertake the task of overseeing the legislative function of prescribed bush fire mitigation for the area.
  - Councillor membership of a Ward Councillor generally covering each of the district areas (north, west, south, and east).
  - All other Councillors as Deputies.
  - Meeting cycle is as required.
  - Responsibility assigned to Director People and Place.
  
- Partnership Governing Committee (Rio Tinto)
  - The general purpose is to help administer agreements between Rio Tinto and the Shire of Ashburton for the supply of infrastructure, services, and events in Tom Price and Paraburdoo.
  - Councillor membership of the Shire President, a Paraburdoo Ward Councillor, and a Tom Price Ward Councillor
  - Meeting cycle is two (2) per annum (or more if required).
  - Responsibility assigned to Director People and Place.
  
- Working Together Onslow (Chevron)
  - The general purpose is to help administer agreements between Chevron and the Shire of Ashburton for the supply of infrastructure, services, and events in Onslow.
  - Councillor membership of the Shire President, the Onslow Ward Councillor, and the Ashburton Ward Councillor.
  - Meeting cycle is every three (3) months.
  - Responsibility assigned to Director People and Place.
  
- Australia Day WA – Community Citizen of the Year Award Working Group
  - The general purpose is to select recipients of the Community Citizen of the Year, Community Citizen of the Year (Senior), Community Citizen of the Year (Youth), and Active Citizenship (Group / Event) of the Year for each town.

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- Councillor membership of a Paraburdoo Ward Councillor, a Tom Price Ward Councillor, the Pannawonica Ward Councillor, and the Onslow Ward Councillor.
- Meeting cycle is as required.
- Responsibility assigned to Director People and Place.
  
- Onslow Senior Citizens Units Working Group
  - The general purpose is to help administer the Joint Venture Agreement overseeing the Carinya Senior Citizens Units, Onslow.
  - Councillor membership of the Onslow Ward Councillor.
  - Meeting cycle is as required.
  - Responsibility assigned to Director Projects and Procurement.
  
- Pilbara Regional Council
  - The general purpose is to help oversee matters impacting the Pilbara region.
  - Councillor membership of the Shire President and one other Councillor.
  - Up to two (2) Councillors as Deputies.
  - Meeting cycle is as required.
  - Responsibility assigned to Chief Executive Officer.
  
- Pilbara Regional Council Various Projects Working Groups
  - The general purpose is to help oversee matters impacting the Pilbara region (individual projects).
  - Councillor membership of the Shire President and one other Councillor.
  - Up to two (2) Councillors as Deputies.
  - Meeting cycle is as required.
  - Responsibility assigned to Chief Executive Officer.
  
- Regional Road Group
  - The general purpose is to oversee the allocation of funds for the Pilbara region road network.
  - Councillor membership of the Shire President and one other Councillor.
  - Up to two (2) Councillors as Deputies.
  - Meeting cycle is as required.
  - Responsibility assigned to Director Infrastructure Services.
  
- Onslow Community Garden Management Committee
  - The general purpose is to help administer the Onslow Community Garden.
  - Councillor membership of the Onslow Ward Councillor.
  - Meeting cycle is as required.
  - Responsibility assigned to Director Infrastructure Services.

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- Pilbara District Emergency Committee
  - The general purpose is to undertake the task of overseeing the legislative function of prescribed district emergency management for the area.
  - Councillor membership of one Councillor.
  - All other Councillors as Deputies.
  - Meeting cycle is as required.
  - Responsibility assigned to Director People and Place.
  
- Western Australian Local Government Association Pilbara Country Zone
  - The general purpose is to provide a regional position on state matters, by consensus with other Councils, to the Western Australian Local Government Association.
  - Councillor membership of the Shire President and one other Councillor.
  - Up to two (2) Councillors as Deputies.
  - Meeting cycle is as required.
  - Responsibility assigned to Chief Executive Officer.
  
- Development Assessment Panel
  - The general purpose is to provide representation on applications of larger-scale development matters in the region.
  - Councillor membership of the Shire President and one other Councillor.
  - Up to two (2) Councillors as Deputies.
  - Meeting cycle is as required.
  - Responsibility assigned to Director People and Place.
  
- Onslow Tourism and Progress Association
  - The general purpose is to represent the Onslow community for tourism and progress opportunities.
  - Councillor membership of the Onslow Ward Councillor.
  - Meeting cycle is as required.
  - Responsibility assigned to Chief Executive Officer.
  
- Ashburton Land Conservation District Committee
  - The general purpose is to consider land matters in the Ashburton Land Conservation District.
  - Councillor membership of the Ashburton Ward Councillor.
  - Meeting cycle is as required.
  - Responsibility assigned to Director Infrastructure Services.

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- Roebourne / Port Hedland Land Conservation District Committee
  - The general purpose is to consider land matters in the Roebourne / Port Hedland Land Conservation District.
  - Councillor membership of the Tableland Ward Councillor.
  - Meeting cycle is as required.
  - Responsibility assigned to Director Infrastructure Services.
  
- Lyndon Land Conservation District Committee
  - The general purpose is to consider land matters in the Lyndon Land Conservation District.
  - Councillor membership of the Ashburton Ward Councillor.
  - Meeting cycle is as required.
  - Responsibility assigned to Director Infrastructure Services.
  
- Onslow Chamber of Commerce and Industry
  - The general purpose is to oversee and build commerce and industry relationships in the Onslow area.
  - Councillor membership of the Onslow Ward Councillor or the Ashburton Ward Councillor.
  - Meeting cycle is as required.
  - Responsibility assigned to Chief Executive Officer.
  
- Pilbara Inland Chamber of Commerce and Industry
  - The general purpose is to oversee and build commerce and industry relationships in the Paraburdoo and Tom Price area.
  - Councillor membership of a Paraburdoo Ward Councillor or a Tom Price Ward Councillor.
  - Meeting cycle is as required.
  - Responsibility assigned to Chief Executive Officer.

### **Comment**

Representation on working groups and external groups is considered an integral part of Council supporting the community and the region.

Representation on most of these groups is at the discretion of Council, although non-representation on some of these groups may disadvantage the Shire as funding opportunities are generated through them.

Without prejudice, the Shire President has offered the following observations on some of the working and external groups' Council representation –

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- Australia Day WA – Community Citizen of the Year Award Working Group has not previously met.
- Pilbara Regional Council has only one more meeting left as it is being wound up.
- Pilbara Regional Council Various Project Working Groups is linked to the Pilbara Regional Council and no longer meet.
- Onslow Community Garden Management Committee has not met for many years.
- Onslow Tourism and Progress Association has not previously met.
- Onslow Chamber of Commerce and Industry is not required.
- Pilbara Inland Chamber of Commerce and Industry is not required.

### **Consultation**

Shire President  
Executive Management Team

### **Statutory environment**

*Emergency Management Act 2005*

*Section 38 – Local emergency management committees*

A local government is to establish one or more local emergency management committees for the district.

### **Financial implications**

Expenditure for meeting fees and costs associated with working groups and external groups is included in the annual budget and is considered minimal.

### **Strategic implications**

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

Goal 5	Inspiring Governance
Objective 2	Community ownership
Strategic Direction	Ensure equitable and broad representation on committees and in community engagement activities to ensure there is well informed decision making.

## 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 not being appropriately represented at community and external groups if no delegates are appointed.	Unlikely (2)	Minor (2)	Low (4)	<u>Reputation</u> Substantiated, localised impact on community trust or low media item.	Councillors requested to nominate for vacancies, as recommended.

The following Risk Matrix has been applied:

Consequence Likelihood		Risk Matrix				
		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.

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 routine nature of Committee participation and nomination.

## Policy implications

There are no known policies or policy implications relating to this Item.

## Voting requirement

Simple majority

## Councillor interest declarations

Nil



**Officer recommendation**

That with respect to the allocation of Councillors to Working Groups and External Groups, Council,

- a does not provide representation for the following groups –
- Australia Day WA – Community Citizen of the Year Award Working Group
  - Pilbara Regional Council
  - Pilbara Regional Council Various Projects Working Groups
  - Onslow Community Garden Management Committee
  - Onslow Tourism and Progress Association
  - Onslow Chamber of Commerce and Industry
  - Pilbara Inland Chamber of Commerce and Industry
- b agrees to provide representation for the following groups –
- Onslow Local Emergency Management Committee
  - Pannawonica Local Emergency Management Committee
  - Inland Local Emergency Management Committee
  - Bush Fire Advisory Committee
  - Partnership Governing Committee (Rio Tinto)
  - Working Together Onslow (Chevron)
  - Onslow Senior Citizens Units Working Group
  - Regional Road Group
  - Pilbara District Emergency Management Committee
  - Western Australian Local Government Association Pilbara Country Zone
  - Development Assessment Panel
  - Ashburton Land Conversation District Committee
  - Roebourne / Port Hedland Land Conservation District Committee
  - Lyndon Land Conservation District Committee
- b appoints the following Councillor representatives to the following groups –
- Onslow Local Emergency Management Committee
    - Cr K White (Onslow Ward),
    - Cr R de Pledge (Ashburton Ward),
    - All other Councillors as Deputies.
  - Pannawonica Local Emergency Management Committee
    - Cr M Gallanagh (Pannawonica Ward),
    - Cr \_\_\_\_\_, and
    - All other Councillors as Deputies.

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- Inland Local Emergency Management Committee
  - Cr \_\_\_\_\_ (Paraburdoo Ward),
  - Cr \_\_\_\_\_ (Tom Price Ward), and
  - All other Councillors as Deputies.
  
- Bush Fire Advisory Committee
  - Cr \_\_\_\_\_,
  - Cr \_\_\_\_\_,
  - Cr \_\_\_\_\_,
  - Cr \_\_\_\_\_, and
  - All other Councillors as Deputies.
  
- Partnership Governing Committee (Rio Tinto)
  - Cr \_\_\_\_\_ (Shire President),
  - Cr \_\_\_\_\_ (Paraburdoo Ward), and
  - Cr \_\_\_\_\_ (Tom Price Ward).
  
- Working Together Onslow (Chevron)
  - Cr \_\_\_\_\_ (Shire President),
  - Cr K White (Onslow Ward), and
  - Cr R de Pledge (Ashburton Ward).
  
- Onslow Senior Citizens Units Working Group
  - Cr K White (Onslow Ward).
  
- Regional Road Group
  - Cr \_\_\_\_\_ (Shire President),
  - Cr \_\_\_\_\_,
  - Cr \_\_\_\_\_ (Deputy), and
  - Cr \_\_\_\_\_ (Deputy)
  
- Pilbara District Emergency Committee
  - Cr \_\_\_\_\_, and
  - All other Councillors as Deputies.

## Agenda – Public Ordinary Council Meeting 19 October 2021

- Western Australian Local Government Association Pilbara Country Zone
  - Cr \_\_\_\_\_ (Shire President)
  - Cr \_\_\_\_\_,
  - Cr \_\_\_\_\_ (Deputy), and
  - Cr \_\_\_\_\_ (Deputy).
  
- Ashburton Land Conservation District Committee
  - Cr R de Pledge (Ashburton Ward).
  
- Roebourne / Port Hedland Land Conservation District Committee
  - Cr J Richardson (Tableland Ward).
  
- Lyndon Land Conservation District Committee
  - Cr R de Pledge (Ashburton Ward).

### 11.3 Change of date for the December 2021 Ordinary Council Meeting

<b>File reference</b>	GV04
<b>Author's name</b>	A Furfaro
<b>Author's position</b>	Governance Officer
<b>Author's interest</b>	Nil
<b>Authorising officer's name</b>	N Cain
<b>Authorising officer's position</b>	A / Chief Executive Officer
<b>Authorising officer's interest</b>	Nil
<b>Name of applicant / respondent</b>	Not applicable
<b>Date report written</b>	6 October 2021
<b>Previous meeting reference</b>	Not applicable

#### **Summary**

Council is required to provide public notice of the date, time, and place of Council meetings.

It has been suggested the currently advertised date for the December 2021 Ordinary Council Meeting (21 December 2021), and the proximity to Christmas, may create quorum issues for Council.

Council is requested to change the meeting date for the December 2021 Ordinary Council Meeting.

#### **Background**

In October 2020, Council resolved to adopt the meeting schedule for the period from February 2021 to December 2021.

The resolution identified the December 2021 Ordinary Council Meeting, as being held on 21 December 2021, commencing at 1:00pm, at the Council Chambers, Onslow Shire Complex, Second Avenue, Onslow.

## Comment

It has been suggested the currently advertised date for the December 2021 Ordinary Council Meeting may result in quorum issues due to the timing of the meeting being so close to Christmas with some Councillors indicating they may not be in attendance.

Tuesday 14 December 2021 has been identified as a suitable alternative date on which to hold the meeting.

Approval is sought to change the date of the December 2021 Ordinary Council Meeting, with the location and commencement times remaining unchanged.

## Consultation

Councillors  
Executive Leadership Team

## Statutory environment

*Local Government Act 1995*

*Section 5.25 (Regulations about council and committee meetings and committees)*

Council is required to give public notice of the date and agenda for Council and Committee meetings.

## Financial implications

There are no known financial implications.

## Strategic implications

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

Goal 05 Inspiring Governance  
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 not being able to hold the September 2021	Rare (1)	Moderate (3)	Low (3)	<u>Compliance</u> Short-term non-compliance	Identify a suitable alternative date.

## Agenda – Public Ordinary Council Meeting 19 October 2021

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan
Ordinary Council Meeting.					

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 regulatory nature of this process.

### Policy implications

*ELM01 – Council and other meetings*

### Voting requirement

Simple majority

### Councillor interest declarations

Nil

### Officer recommendation

That with respect to the change of date for the December 2021 Ordinary Council Meeting, Council, in accordance with the *Local Government Act 1995* section 5.25 amends the date of the December 2021 Ordinary Council Meeting to 14 December 2021, with the location and time to remain unchanged (Council Chambers, Onslow Shire Complex, Second Avenue, Onslow, commencing 1:00pm).

#### 11.4 “More than Mining” Campaign - Request for Council Support

<b>File reference</b>	ED216
<b>Author’s name</b>	N Cain
<b>Author’s position</b>	A / Chief Executive Officer
<b>Author’s interest</b>	Nil
<b>Authorising officer’s name</b>	N Cain
<b>Authorising officer’s position</b>	A / Chief Executive Officer
<b>Authorising officer’s interest</b>	Nil
<b>Name of applicant / respondent</b>	Not applicable
<b>Date report written</b>	8 August 2021
<b>Previous meeting reference</b>	Not applicable

##### **Summary**

Brendon Grylls (from Brendon Grylls Group) recently raised the matter of fringe benefits tax reform with the Chief Executive Officer, on behalf of a consortium of regional local government authorities, to discuss potential reforms to Fringe Benefits Taxation policy to be spearheaded by the “More than Mining” campaign.

This Agenda Item serves to inform Council of the campaign.

Council is requested to pledge financial support towards the campaign.

##### **Background**

On Thursday 29 July 2021 the Chief Executive Officer discussed with Brendon Grylls (from Brendon Grylls Group), who is representing a consortium of regional local governments, Council’s possible support to the “More than Mining” campaign.

The “More than Mining” campaign is targeted at changing taxation policy to enable people living in regional mining towns and cities to be independent of resource-sector employers for housing and liveability.

The campaign seeks to encourage, where possible, people to buy property and relocate into towns which are predominantly driven by the boom-bust property investment cycle typical of historical mining life cycles.

The “More than Mining” campaign is targeting housing affordability support to

individuals, as shown in the attached presentations, which is intended to:

- Incentivise regional relocation,
- Stabilise population churn,
- Normalise living costs, and
- Support local small business prosperity.

**Attachment 11.4A**

**Attachment 11.4B**

To date, the following organisations have supported the campaign:

- Karratha and Districts Chamber of Commerce and Industry,
- City of Karratha,
- Shire of East Pilbara,
- City of Kalgoorlie-Boulder,
- Shire of Coolgardie,
- Shire of Leonora,
- Isaac Regional Council,
- Mount Isa City Council,
- Broken Hill City Council, and
- Australian Mining Cities Allowance.

The “More than Mining” tax reform proposes to expand Fringe Benefits Taxation concessions from 50% to 100% for individuals in regional mining communities allowing people to buy a house, or rent a house, with pre-tax dollars.

It is intended with a lower tax bill, people can be more confident in a decision to buy a house, or save up faster, and be protected from cyclical rent spikes.

The increase in Fringe Benefits Tax concessions will make it easier financially for residents to live in mining towns and cities longer, slowing population churn and stabilising the demand for housing in the regions, which is likely to smooth out the boom-bust impacts on property values.

Council has been requested to join with other local governments and make a financial pledge to the campaign of between \$30,000 to \$35,000 to assist in research, submission finalisation, marketing, and publicity.



## Comment

It is difficult to ascertain the exact return-on-investment regarding the financial pledge.

Of note, however, is the link between this campaign and the “yet-to-be-formally-adopted” Staff Accommodation Strategy for the Shire. The following is an extract from the Council Agenda Item relating to the adoption of the Staff Accommodation Strategy:

*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 accommodating 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.*

Additionally, the Staff Accommodation Strategy highlights the challenges of accommodation within the Shire, and not simply for Shire staff:

### Housing and Land Shortage

*Access to housing for staff, as well as other essential workers, is a very real problem – particularly in Tom Price. In Tom Price and Paraburdoo, most of the staff housing stock is owned by Rio Tinto, which provides an additional layer of complexity. Anecdotal reports suggested essential services have been delayed or deferred (such as banking services, post office workers and doctors) because suitable accommodation has not been made available.*

*There also continues to be a lack of private developer interest and shortage of developable land in Tom Price, which was identified through the Royalties for Regions program several years ago. This is an issue that has not yet been resolved.*

### Mining Towns

*Mining Towns come with their own unique set of challenges. As predominately single economy towns, the housing supply is vulnerable to external factors, such as commodity prices. This impacts directly on house prices – which are well above the State Average.*

*One size does not fit all*

*Each Town has its own unique challenges and requires a very different approach.*

*Tom Price is well established but land locked. Most of the housing is 40 years old and nearly 80% is owned by Rio Tinto Houses are very hard to source, particularly given the current resource boom.*

*Onslow on the other hand, is a small town that has seen exponential growth in recent years, which is forecast to continue.*

*High Costs*

*Being located above the 26th parallel directly attributes to a higher-than-average expense – both in terms of building costs, on-going maintenance, and operational expenses (for power etc.).*

On the face of it the “More than Mining” campaign targets some of the challenges associated with housing issues in regional communities driven by the resources-sector and is likely to support mining companies to better resource their operations using local resources.

Coupled with the relatively low-cost commitment, Shire officers believe this is noteworthy campaign to support as, if successful, the investment into the Shire is likely to increase and employee turnover decrease.

**Consultation**

Chief Executive Officer  
Director Corporate Services

**Statutory environment**

*Local Government Act 1995*

*Section 5.56 (Role of Council)*

The Council is to govern the local government’s affairs, oversee the local government’s finances and resources, and determine the local government’s policies.

*Section 3.1 (General function)*

The general function of a local government is to provide for the good government of persons in the district.

**Financial implications**

Council is being requested to pledge between \$30,000 and \$35,000 towards the ore than Mining” campaign. The proposed 2021-2022 Annual Budget has advocacy funding for instances such as this.

**Strategic implications**

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

Goal 2 Economic Prosperity  
 Objective 2 Enduring partnerships with industry and government  
 Strategic Direction Partner with industry and government to target their investment in stimulating more diversified business and economic development to benefit communities and the local economy.

**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 support the campaign and is perceived as not assisting the community to invest and grow.	Possible (3)	Moderate (3)	Moderate (9)	<u>Reputation</u> Substantiated, public embarrassment, moderate impact on community trust or moderate media profile.	Provide Council with adequate information to make an informed decision.
The “More than Mining” campaign is not successful.	Possible (3)	Minor (2)	Moderate (6)	<u>Financial Impact</u> \$10,000 to \$100,000	Very little can be done to mitigate this from occurring. Council is encouraged to spread the word to political advocates.

The following Risk Matrix has been applied:

Consequence Likelihood		Risk Matrix				
		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” because of the potential for negativity in the community. A successful campaign, which may make a difference for mining communities, is seen as an opportunity.

### Policy implications

There are no known policy implications.

### Voting requirement

Simple majority

### Councillor interest declarations

[To be advised]

### Additional

Due to a lack of quorum at previous meetings, this item has been re-presented for Council’s consideration.

**Officer recommendation**

That with respect to the “More than Mining” Campaign - Request for Council Support, Council,

- a Supports the “More than Mining” campaign, targeting taxation reform, which is intended to assist to:
  - i Incentivise regional relocation,
  - ii Stabilise population churn,
  - iii Normalise living costs,
  - iv Support local small business prosperity, and
  
- b Pledges up to \$35,000 to the campaign to assist in research, submission finalisation, marketing, and publicity.

## 12 Corporate Services reports

### 12.1 Monthly Schedule of Accounts Paid

<b>File reference</b>	FM03
<b>Author's name</b>	T Dayman
<b>Author's position</b>	A / Director Corporate Services
<b>Author's interest</b>	Nil
<b>Authorising officer's name</b>	N Cain
<b>Authorising officer's position</b>	A / Chief Executive Officer
<b>Authorising officer's interest</b>	Nil
<b>Name of applicant / respondent</b>	Not applicable
<b>Date report written</b>	6 October 2021
<b>Previous meeting reference</b>	Not applicable

#### Summary

Council is required to have produced a Schedule of Accounts Paid each month containing relevant information, as legislated.

The purpose of this Report is to present the –

- Schedule of Creditor Accounts Paid for September 2021,
- Trust Fund Payments for September 2021, and
- Corporate Credit Card Reconciliations for August 2021.

Council is requested to confirm the Monthly Schedule of Accounts Paid, as presented.

#### Background

The *Local Government (Financial Management) Regulations 1996* require Shire officers, monthly and within a prescribed timeframe, to 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 Monthly Schedule of Accounts Paid, in accordance with legislative requirements, and this is attached.

**Consultation**

Executive Leadership Team  
 Middle Management Group  
 Finance Team

**Statutory environment**

*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.

**Financial implications**

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

For the month under review the following summarised details are presented:

Description	Amount \$
<u>Municipal Fund</u>	
Electronic Funds Transfers	3,987,592.40
Superannuation / Payroll (Direct Debits)	202,049.14
Cheques	0.00
Credit Cards	5,330.50
Bank Fees and Charges	2,427.25
<u>Municipal Fund Total</u>	4,197,399.29
<u>Trust Fund</u>	
Electronic Funds Transfers	0.00
<u>Trust Fund Total</u>	0.00

**Strategic implications**

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

Goal 5 Inspiring Governance  
 Objective 4 Exemplary team and work environment  
 Desired Outcome Highly functioning Shire team who effectively manages Shire resources to build strong communities.

**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 accept the Shire officer recommendation.	Unlikely (2)	Minor (2)	Low (4)	Compliance Some temporary non-compliances	Provide Council with adequate information to make an informed decision.

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” because of 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**

Simple majority

**Councillor interest declarations**

Nil

**Officer recommendation**

That with respect to the Monthly Schedule of Accounts Paid, Council, in accordance with *Local Government (Financial Management) Regulations 1996* Regulation 13 confirms the Monthly Schedule of Accounts Paid for September 2021, as included at Attachment 12.1A.

## 12.2 Monthly Financial Statements – September 2021

<b>File reference</b>	FM03
<b>Author's name</b>	T Dayman
<b>Author's position</b>	A / Director Corporate Services
<b>Author's interest</b>	Nil
<b>Authorising officer's name</b>	N Cain
<b>Authorising officer's position</b>	A / Chief Executive Officer
<b>Authorising officer's interest</b>	Nil
<b>Name of applicant / respondent</b>	Not applicable
<b>Date report written</b>	6 October 2021
<b>Previous meeting reference</b>	Not applicable

### Summary

Council is required to have produced a Statement of Financial Activity each month containing relevant information, as legislated.

The purpose of this Report is to present the Statement of Financial Activity for the month ended September 2021.

Council is requested to accept the Statement of Financial Activity.

### Background

The *Local Government (Financial Management) Regulations 1996* require Shire officers, monthly and within a prescribed timeframe, to prepare financial reports covering prescribed information and present these to Council.

### Comment

Shire officers have prepared the Statement of Financial Activity, and supporting documentation, in accordance with legislative requirements (as attached).

**Attachment 12.2A**

**Consultation**

Executive Leadership Team  
 Middle Management Group  
 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.

*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.

**Strategic implications**

There are no strategic implications for this item.

**Risk management**

Risk has been assessed based on the Officer Recommendation.

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

The following Risk Matrix has been applied:

Consequence Likelihood		Risk Matrix				
		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” because of 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

Simple majority

### Councillor interest declarations

Nil

### Officer recommendation

That with respect to the Monthly Financial Statements, Council, in accordance with *Local Government (Financial Management) Regulations 1996* regulation 34 accepts the Statement of Financial Activity, and associated documentation, for September 2021, as included at Attachment 12.2A.

**13 People and Place reports**

Nil

**14 Infrastructure Services reports**

Nil

## 15 Projects and Procurement reports

### 15.1 Award of RFT 10.21 Construction Only of Tom Price Childcare and Combined Emergency Services, Tom Price

<b>File reference</b>	POI.0400 CM10.21
<b>Author's name</b>	C McGurk
<b>Author's position</b>	Director Projects and Procurement
<b>Author's interest</b>	Nil
<b>Authorising officer's name</b>	N Cain
<b>Authorising officer's position</b>	A / Chief Executive Officer
<b>Authorising officer's interest</b>	Nil
<b>Name of applicant / respondent</b>	Not Applicable
<b>Date report written</b>	6 October 2021
<b>Previous meeting reference</b>	Agenda Item 16.3 (Minute 14/2021) Council Meeting 16 February 2021

#### Summary

Council has included in the 2021-2022 Annual Budget the construction of a Childcare Centre and a Combined Emergency Services Centre in Tom Price.

Five (5) tenders, all conforming, were received in response to RFT 10.21 Construction of Tom Price Childcare and Combined Emergency Services, Tom Price. The evaluation panel has completed the assessment of the conforming submissions and provided a recommendation.

Council is requested to authorise the engagement of the recommended contractor for the Construction Only of the Tom Price Childcare and Combined Emergency Services facilities in line with the capital works program for 2021-2022.

### **Confidentiality**

An attachment to this report is confidential in accordance with section 5.23 of the *Local Government Act 1995* because it deals with –

*“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.”*

### **Background**

Request for Tender (RFT) *RFT 10.21 - Construction of Tom Price Childcare and Combined Emergency Services, Tom Price, WA* was issued via the Shire’s e-tendering portal (known as Tenderlink) on Saturday 14 August 2021 and closed on Tuesday 14 September 2021 at 2:00 pm. The Tender was advertised via state-wide public notice in *The West Australian* newspaper from Saturday 14 August 2021. RFT 10.21 was undertaken in accordance with the *Local Government Act 1995* to invite suitably registered, qualified, and experienced contractors to submit bids to enter a Contract for the RFT 10.21, in accordance with the tender brief as detailed below:

*The Shire of Ashburton seeks tender submissions from suitably registered, qualified, and experienced Contractors for the works associated with construction of Tom Price Childcare Centre and the Combined Emergency Services buildings, at Lots 19 and 20 South Road, Tom Price, WA.*

*The Scope of Works is divided into two separable portions, summarised as follows:*

- *Separable Portion 01: Tom Price Childcare (TPCC), Lot 19: The new single storey facility will be able to accommodate ninety-six (96) children and 19 staff members, including dedicated Indoor and Outdoor Play Areas, a maintenance shed and 24 bay car park.*
- *Separable Portion 02: Combined Emergency Services (CES), Lot 20: The new single storey facility will accommodate the relocation of the existing State emergency Service (SES) and the Bush Fire Brigade (BFB), services in Tom Price. The works include offices, appliance bays, a training tower, parking, BBQ area, relocation of an existing container and dome structure and various external works.*

**Comment**

The Qualitative Criteria was approved prior to the advertisement of the RFT. Each Criterion was given the following weightings and included within the RFT document.

<b>Criteria</b>		<b>Weighting</b>
(a)	Relevant Company Experience and Performance	15%
(b)	Key Personnel	15%
(c)	Resources / Plant / Equipment	5%
(d)	Methodology / Programme / Quality and OHS Systems / Risk Management	15%
(e)	Price	50%

Each Panel Member individually assessed the Qualitative Criteria responses of the Tender submissions.

The submissions were assessed against the Qualitative Criteria and each Criterion was given a score in accordance with the Evaluation Guide contained within the Evaluation Spreadsheets.

A rating scale of zero-to-ten (0 - 10) was used for evaluating the Tender submissions in accordance with the Qualitative Criteria, with 0 being lowest and 10 being highest.

The evaluation and recommendation report, including the overall evaluation scores and rankings, is attached.

**Confidential Attachment 15.1A**

The evaluation of the submissions received against the quantitative and qualitative criteria resulted in the rankings (in order of priority) as shown below –

1. Emirge Pty Ltd
2. Cooper and Oxley Pty Ltd
3. Decmil Australia Pty Ltd
4. Mitie Construction Pty Ltd
5. Devlyn Australia Pty Ltd

A probity audit undertaken on the process identified there were no probity issues for note.



## **Consultation**

Executive Leadership  
Team Assessment Panel  
Procurement Department

## **Statutory environment**

*Local Government Act 1995*

*3.57. Tenders for providing goods or services*

*(1) A local government is required to invite tenders before it enters a contract of a prescribed kind under which another person is to supply goods or services.*

*(2) Regulations may make provision about tenders.*

*Local Government (Functions and General) Regulation 1996 Pt.2 Div.2*

*Division 2 — Tenders for providing goods or services (s. 3.57)*

*11. When tenders must be publicly invited*

*(1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250 000 unless sub regulation (2) states otherwise.*

## **Financial implications**

The 2021-2022 Annual Budget provision for both projects combined is \$9,408,000.00.

The recommended contractor (Emirge Pty Ltd) has submitted a fixed lump sum price of \$8,493,439.50 (ex GST) as per the Price Schedule contained in RFT 10.21 and represents the most advantageous and best value for money submission.

Funding bodies for these facilities includes, amongst others, the Shire, the State Government and Rio Tinto Iron Ore.

## **Strategic implications**

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

Goal 1                      Vibrant and Active Communities

Objective 2                Sustainable services, clubs, associations, and facilities

## Agenda – Public Ordinary Council Meeting 19 October 2021

**Strategic Direction** Prepare plans, programs, and schedules to provide cost effective access and optimisation of existing community facilities – and provide new or upgraded facilities to accommodate future needs.

**Goal 4** Quality Services and Infrastructure

**Objective 1** Quality Public Infrastructure

**Strategic Direction** Provide and maintain affordable infrastructure to serve the current and future needs of the community, environment, industry, and business.

### Risk management

Risk has been assessed based on the Officer Recommendation.

<b>Risk</b>	<b>Risk Likelihood</b>	<b>Risk Impact / Consequence</b>	<b>Risk Rating</b>	<b>Principal Risk Theme</b>	<b>Risk Action Plan</b>
Council does not approve the recommendation to award the tender.	Possible (3)	Moderate (3)	Moderate (9)	Substantiated, public embarrassment, moderate impact on community trust or moderate media profile	Provide sufficient information for informed decision making.
Council approves the recommendation to award the tender and the tenderer cannot complete the works due to financial matters.	Possible (3)	Major (4)	High (12)	\$1million to \$5 million	Mitigated by the appointment of a Project Management Consultant with the specialised skills to run multiple projects to deliver Council's adopted Capital Works Program.
Council approves the recommendation to award the tender and the tenderer cannot complete the works to time.	Major (4)	Major (4)	High (16)	Exceeds deadline by 20% of project timeline	Mitigated by the appointment of a Project Management Consultant with the specialised skills to run multiple projects to deliver Council's adopted Capital Works Program.

The following Risk Matrix has been applied:

Consequence Likelihood		Risk Matrix				
		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.

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” risk and will be mitigated by the appointment of a Project Management Consultant with the specialised skills to run multiple projects to deliver Council’s adopted Capital Works Program.

**Policy implications**

AMP 01 Asset Management Policy  
FIN12 Purchasing Policy

**Voting requirement**

Simple majority

**Councillor interest declarations**

[To be advised]

**Officer recommendation**

That with respect to the award of RFT 10.21 Construction of Tom Price Childcare and Combined Emergency Services, Tom Price, Council,

- a Notes the Evaluation Report, as included at Confidential Attachment 15.1A,
- b Accepts the submission from Emirge Pty Ltd, for RFT 10.21 Construction of Tom Price Childcare and Combined Emergency Services, Tom Price, for the tendered fixed lump sum price of \$8,493,439.50 (ex GST), as being the most advantageous and best value for money, and
- c Authorises the Chief Executive Officer to negotiate and engross the contract, with or without minor modification, with Emirge Pty Ltd based on their submitted and accepted submission.

**16 Councillor agenda items / notices of motions**

Nil

**17 New business of an urgent nature introduced by Council decision**

To be informed at the meeting.

**18 Confidential matters**

Nil

**19 Next meeting**

The next Ordinary Council Meeting will be held at 1:00pm on Tuesday 19 November 2021 at Ashburton Hall – Ashburton Avenue, Paraborndoo.

**20 Closure of meeting**

There being no further business, the Presiding Member closed the meeting at x:xxpm.

**Attachments (not for inclusion with Agenda print)**

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