



Published Minutes

Ordinary Council Meeting

Tuesday, 8 August 2023

Date:	Tuesday 8 August 2023
Time:	1:00pm
Location:	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow
Distribution Date:	Friday 11 August 2023



**Shire of Ashburton
Ordinary Council Meeting**

The Chief Executive Officer recommends the endorsement of these minutes at the next Ordinary Council Meeting.

K Donohoe
Chief Executive Officer
11 August 2023

These minutes were confirmed by Council as a true and accurate record of proceedings at the Ordinary Council Meeting held on Tuesday, 8 August 2023.

Presiding Member

Date

Disclaimer

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

Council Decision 143/2023

Moved Cr T Mladenovic

Second Cr M Lynch

In accordance with regulation 14C(2)(b) of the *Local Government (Administration) Regulations 1996*, approves Councillor L Rumble and Cr M Gallanagh to attend the meeting via electronic means, noting they are in instantaneous communication with the meeting.

For: Crs K White, M Lynch, A Sullivan, A Smith and T Mladenovic

Against: Nil

Carried 5/0

Cr L Rumble Declaration

In accordance with regulation 14CA(5) of the *Local Government (Administration) Regulations 1996*, I declare that I can maintain confidentiality during the meeting or the closed part of the meeting.

Cr M Gallanagh Declaration

In accordance with regulation 14CA(5) of the *Local Government (Administration) Regulations 1996*, I declare that I can maintain confidentiality during the meeting or the closed part of the meeting.

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 all their elders past, present and emerging.

2 Announcement Of Visitors

Nil

3 Attendance

3.1 Present

Elected Members:	Cr K White Cr M Lynch Cr M Gallanagh Cr L Rumble JP Cr A Sullivan Cr A Smith Cr T Mladenovic	Shire President (Presiding Member), Onslow Ward Deputy Shire President, Tom Price Ward Pannawonica Ward (via electronic means) Paraburdoo Ward (via electronic means) Paraburdoo Ward Tom Price Ward Tom Price Ward
Employees:	K Donohoe D Kennedy R Miller T Sullivan R Wright J Bray R Marlborough J Hunter R Lynch A Furfaro	Chief Executive Officer Director Corporate Services Director Infrastructure Services Acting Manager Media and Communications Executive Manager Land, Property and Regulatory Services Manager Governance Senior Governance Officer Coordinator Lands and Planning Senior Procurement Officer Governance Officer
Guests:	Nil	
Members of Public:	There were no members of the public in attendance at the commencement of the meeting.	
Members of media:	There were no members of the media in attendance at the commencement of the meeting.	

3.2 Apologies

Nil

3.3 Approved Leave Of Absence

Cr R De Pledge	Ashburton Ward	From 8 August 2023 to 12 September 2023
Cr J Richardson	Tableland Ward	From 11 July 2023 to 8 August 2023

4 Question Time

4.1 Response To Previous Public Questions Taken On Notice

4.1.1 Responses to Previous Public Questions Taken on Notice

Ordinary Council Meeting – 11 July 2023 – Item 4.2.

Mr Douglas Ivan Dias

Question:

Will the Council consider implementing a 'Good Neighbour Recognition Program' similar to the City of Glen Eira in Victoria.

My understanding is this award is different to the Volunteer of the Month we presently have. Any resident can nominate a neighbour/friend for an act of kindness towards them which could simply be doing their lawns or getting them their groceries while they are sick or helping them out in a time of need. The Council can determine how often to have the award and can determine the appropriate prize.

Response:

The following written response was provided:

Following internal discussions, the Shire at this point in time, are not in a position to commit to supporting an additional local community recognition program as you have outlined. Currently, operational resources are not available to implement and effectively manage such a program, on an equitably basis throughout the district.

The Communities Team are embarking on the review of the existing Volunteer of the Month recognition program and will assess the opportunity of broadening the scope of this program to incorporate recognising those that demonstrate community spirit. This could include being a good neighbour, delivering an act of kindness, volunteering their time, being a mentor in the community etc.

Mr Dalton Mcilroy

Question:

Hi, I am Dalton Mcilroy, Manager of the Bedford Paraburdoo, I would like to put in a request for new chairs/seating areas to complement the new Red Dog plaque that has become a great tourist/public attraction at Paraburdoo.

Response:

The following written response was provided:

It is understood that a Councillor and Shire officer have already met with you to discuss your request, and following further internal discussion it can be confirmed that works are pending to install new seating nearby to the new Red Dog sculpture in Paraburdoo.

4.2 Public Question Time

Nil

5 Declaration By Members**5.1 Due Consideration By Councillors To The Agenda**

Councillors noted they have given due consideration to all matters contained in this agenda. The Presiding Member requested the Chief Executive Officer to read aloud the following correspondence from the Department of Local Government, Sport and Cultural Industries and noted each Councillor had been provided a copy.



Department of
**Local Government, Sport
and Cultural Industries**

Our ref E23099821
Enquiries Kimberley Craik
Phone (08) 6552 1530
Email legislation@dlgsc.wa.gov.au

Mr Kenn Donohoe
Chief Executive Officer
Shire of Ashburton

Email: governance@ashburton.wa.gov.au

Dear Mr Donohoe

I refer to your correspondence dated 2 August 2023 and advise that, in accordance with the authority delegated by the Minister for Local Government, I have approved your application, under section 5.69(3) of the *Local Government Act 1995* (the Act).

It has been noted that the Shire requires a minimum approval of four members in order to achieve quorum. Accordingly, approval has been granted for four members, Cr Lynch, Cr Mladenovic, Cr Smith and Cr Rumble, to fully participate in the discussion and decision making relating to the following agenda item at the Shire's Ordinary Council Meeting, to be held on 8 August 2023:

12.1 – RESPONSE TO DEPARTMENT OF JOBS, TOURISM, SCIENCE AND INNOVATION ON A DRAFT PROPOSAL FROM HAMERSLEY IRON (RIO TINTO) TO EXTEND APPROVAL FOR JUNDUNMUNNAH CAMP, TOM PRICE UNTIL 31 DECEMBER 2033

Conditions of approval:

1. *The approval is only valid for the 8 August 2023 Ordinary Council Meeting when agenda item 12.1 is considered;*
2. *The abovementioned councillors must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;*
3. *The Chief Executive Officer (CEO) is to provide a copy of the Department of Local Government, Sport and Cultural Industries (DLGSC) letter of approval to the abovementioned councillors;*
4. *The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;*
5. *The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to the DLGSC, to allow the DLGSC to verify compliance with the conditions of this approval; and*
6. *The approval granted is based solely on the interests disclosed by the abovementioned councillors, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.*

Should you require further information in relation to this matter, please contact Kimberley Craik, A/Senior Legislation Officer, via the details provided above.

Yours sincerely

A handwritten signature in black ink, appearing to be 'T Fraser'.

TIM FRASER
EXECUTIVE DIRECTOR – LOCAL GOVERNMENT

3 August 2023



Department of
**Local Government, Sport
and Cultural Industries**

Our ref E23103472
Enquiries Dale Martin
Phone (08) 6552 1530
Email legislation@dlgsc.wa.gov.au

Mr Kenn Donohoe
Chief Executive Officer
Shire of Ashburton

Email: governance@ashburton.wa.gov.au

Dear Mr Donohoe

I refer to your correspondence dated 4 August 2023 and advise that, in accordance with the authority delegated by the Minister for Local Government, I have approved your application, under section 5.69(3) of the *Local Government Act 1995* (the Act),

Approval is granted to Cr Lynch, Cr Mladenovic, Cr Smith and Cr Rumble, to fully participate in the discussion and decision making relating to the following agenda item at the Shire's Ordinary Council Meeting, to be held on 8 August 2023:

12.3 - RESPONSIBLE AUTHORITY REPORT (RAR) - AMENDMENT TO DEVELOPMENT ASSESSMENT PANEL (DAP) APPROVAL FOR TRANSIENT WORKFORCE ACCOMMODATION & SUPPORTING FACILITIES AT LOTS 61, 603 AND 605 ROCKLEA ROAD AND LOT 623 MCRAE AVENUE, PARABURDOO.

Conditions of approval:

1. *The approval is only valid for the 8 August 2023 Ordinary Council Meeting when agenda item 12.3 is considered;*
2. *The abovementioned councillors must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;*
3. *The Chief Executive Officer (CEO) is to provide a copy of the Department of Local Government, Sport and Cultural Industries (DLGSC) letter of approval to the abovementioned councillors;*
4. *The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;*
5. *The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to the DLGSC, to allow the DLGSC to verify compliance with the conditions of this approval; and*
6. *The approval granted is based solely on the interests disclosed by the abovementioned councillors, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.*

Should you require further information in relation to this matter, please contact Dale Martin, A/Senior Legislation Officer, via the details provided above.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Tim Fraser'.

TIM FRASER
EXECUTIVE DIRECTOR – LOCAL GOVERNMENT

7 August 2023

5.2 Declaration 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*.

The following declarations of interest are disclosed –

10.2.1 Minutes Of The Chief Executive Officer’s Performance Review Occasional Committee Meeting Held On 11 July 2023	
Name	Kenn Donohoe
Nature of interest	Direct Financial
Interest description	Minutes CEO Performance Appraisal Committee, financial interest.
12.1 Response to Department of Jobs, Tourism, Science and Innovation on a Draft Proposal from Hamersley Iron (Rio Tinto) to extend approval for Jundunmunnah Camp, Tom Price until 31 December 2033	
Name	Cr M Gallanagh
Nature of interest	Indirect Financial
Interest description	My husband and I both work for Rio Tinto, live in company housing, we own shares in Rio Tinto both individually and collectively to a greater value than the prescribed amount.
Name	Deputy Shire President M Lynch
Nature of interest	Indirect Financial
Interest description	I am an employee and tenant of Rio Tinto. I am paid a salary by Pilbara Iron.
Name	Cr T Mladenovic
Nature of interest	Direct Financial
Interest description	My partner is employed by Rio Tinto and we live in subsidised housing provided as part of his employment. My partner has Rio Tinto shares under the prescribed amount.

Name	Cr A Smith
Nature of interest	Direct Financial
Interest description	My husband is an employee of Rio Tinto, and own shares over the prescribed amount of Rio Tinto shares. My husband's employment with Rio Tinto provides him with subsidised housing and utilities in which I reside too.
Name	Cr L Rumble JP
Nature of interest	Direct Financial
Interest description	I am a share holder Rio Tinto which is greater than the prescribed amount.
Name	Cr A Sullivan
Nature of interest	Direct Financial
Interest description	I and my husband hold shares above the prescribed amount. I and my husband live in subsidised housing provided by Rio Tinto. I and my husband are employees of Rio Tinto.

12.3 Responsible Authority Report (RAR) - Amendment to Development Assessment Panel (DAP) Approval for Transient Workforce Accommodation & Supporting Facilities at Lots 61, 603 and 605 Rocklea Road and Lot 623 McRae Avenue, Paraburdoo

Name	Cr M Gallanagh
Nature of interest	Direct Financial
Interest description	My husband and I both work for Rio Tinto, live in company housing, we own shares in Rio Tinto both individually and collectively to a greater value than the prescribed amount.
Name	Deputy Shire President M Lynch
Nature of interest	Indirect Financial
Interest description	I am an employee and tenant of Rio Tinto. I am paid a salary by Pilbara Iron.
Name	Cr T Mladenovic
Nature of interest	Direct Financial
Interest description	My partner is employed by Rio Tinto and we live in subsidised housing provided as part of his employment. My partner has Rio Tinto shares under the prescribed amount.
Name	Cr A Smith
Nature of interest	Direct Financial
Interest description	My husband is an employee of Rio Tinto, and own shares over the prescribed amount of Rio Tinto shares. My husband's employment with Rio Tinto provides him with subsidised housing and utilities in which I reside too.

Name	Cr L Rumble JP
Nature of interest	Direct Financial
Interest description	I am a share holder Rio Tinto which is greater than the prescribed amount.
Name	Cr A Sullivan
Nature of interest	Direct Financial
Interest description	I and my husband hold shares above the prescribed amount. I and my husband live in subsidised housing provided by Rio Tinto. I and my husband are employees of Rio Tinto.

15.1 Petition to Shire of Ashburton Pool Heating	
Name	Cr A Smith
Nature of interest	Impartiality
Interest description	Discuss professionally in regards to petition. Presented petition on behalf of Tom Price Amateur Swimming club.

6 Announcements By The Presiding Member And Councillors Without Discussion

Nil

7 Petitions / Deputations / Presentations

7.1 Petitions

Nil

7.2 Deputations

Nil

7.3 Presentations

Nil

8 Applications for Leave of Absence

Nil

9 En Bloc Council Resolutions

9.1 Agenda Items Adopted En Bloc

The following confirmation of minutes and receipt of minutes were adopted en bloc:

- 10.1.1 Minutes of the Ordinary Council Meeting Held on 11 July 2023
- 10.2.1 Minutes of The Chief Executive Officer's Performance Review Occasional Committee Meeting Held On 11 July 2023
- 10.2.2 Minutes Of The Alliance Board Meeting Held on 20 June 2023

10 Confirmation Of Minutes

10.1 Confirmation Of Council Minutes

10.1.1 Minutes Of The Ordinary Council Meeting Held On 11 July 2023

Council Decision 144/2023

Moved Cr T Mladenovic

Seconded Cr M Lynch

That the Minutes of the Ordinary Council Meeting held 11 July 2023 (Item 10.1.1 Attachment 1) be confirmed as a true and accurate record.

For: Crs K White, M Lynch, M Gallanagh, L Rumble JP, A Sullivan, A Smith and T Mladenovic

Against: Nil

**Carried 7/0
Resolved en bloc**

10.2 Receipt Of Committee And Other Minutes

10.2.1 Minutes Of The Chief Executive Officer's Performance Review Occasional Committee Meeting Held On 11 July 2023

Council Decision 145/2023

Moved Cr T Mladenovic

Seconded Cr M Lynch

That the Minutes of the Chief Executive Officer's Performance Review Occasional Committee Meeting held 11 July 2023 (Item 10.2.1 Attachment 1) be received.

For: Crs K White, M Lynch, M Gallanagh, L Rumble JP, A Sullivan, A Smith and T Mladenovic

Against: Nil

**Carried 7/0
Resolved en bloc**

10.2.2 Minutes Of The Alliance Board Meeting Held On 20 June 2023

Council Decision **146/2023**

Moved **Cr T Mladenovic**

Seconded **Cr M Lynch**

That the Minutes of the Alliance Board Meeting held 20 June 2023 (Item 10.2.2 Attachment 1) be received.

For: **Crs K White, M Lynch, M Gallanagh, L Rumble JP, A Sullivan, A Smith and T Mladenovic**

Against: **Nil**

Carried 7/0
Resolved en bloc

11 Recommendations From Committee

Ashburton Economic And Tourism Development Committee Meeting held on 8 August 2023

6.1 Pilbara Inland Chamber of Commerce and Industry 2023 Business Awards Sponsorship

File Reference	ED01
Applicant or Proponent(s)	Not Applicable
Author	P Hanlon, Manager Business and Economic Development
Authorising Officer	K Donohoe, Chief Executive Officer
Previous Meeting Reference	Nil
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	1. 2023 PICCI Business Awards Sponsorship Letter ⇒

Report Purpose

Council is required to consider the 2023 sponsorship request from the Pilbara Inland Chamber of Commerce and Industry (PICCI).

The purpose of this report is to inform Council of the sponsorship request and the opportunity to make a financial contribution.

The Ashburton Economic and Tourism Development Committee is requested to recommend that Council, agrees to provide a \$5,500 plus GST contribution to become a platinum sponsor of the 2023 awards.

Background

The Shire of Ashburton (Shire) have been approached by PICCI to make a financial contribution to their 2023 business and industry awards. The event will be held on Saturday, 7 October 2023 in Tom Price.

PICCI feel it is vital to acknowledge these local business professionals to help encourage small and medium business start-ups, promote long term residency here in Tom Price and continue to celebrate our local professionals.

Last financial year, the Shire provided a \$5,000 plus GST sponsorship towards the awards.

Comments

Supporting small and medium sized business

Supporting small and medium sized businesses in the Shire of Ashburton district is recognised in our strategies and plans. Prosperity is one of the four pillars included in the Shire of Ashburton Strategic Community Plan 2022-2032, which states that we will advocate

and drive opportunities for the community to be economically desirable, resilient, and prosperous.

Sustainable commerce and tourism opportunities is a key strategy adopted in the pursuit of this objective. The Shire's Economic and Tourism Development Strategy 2019 was developed to compliment and assist with delivering outcomes aligned to the Strategic Community Plan.

Goal 3 of the Shire of Ashburton's Economic and Tourism Development Strategy 2019 recognises that a focus on creating a positive community business environment is crucial to local economic development and growth, with the mining and resource sectors currently dominating the scene. In this transient environment, small and medium enterprises are the backbone to local economic stability, community vibrancy and town livelihood.

Value of business awards

The Western Australian Government highlights that there are many benefits to business awards for small and medium enterprises including:

- Prestige and recognition from your peers and within your industry.
- Opening up valuable public relations and media opportunities in the short and longer term.
- Credibility and social proof that gives your business an edge.
- A validation of your business idea or methodology.
- The award review process itself – you will receive feedback from experienced industry professionals on what you are doing well (and anything you could improve on).
- Confidence in the operation of your business – an endorsement that you are doing the right thing.

<https://www.smallbusiness.wa.gov.au/blog/benefits-entering-business-awards>

Sponsorship categories

PICCI have outlined the following sponsorship categories for 2023:

Platinum Sponsorship: \$5,500 plus GST

- Opportunity to present platinum awards (Business of the Year or People's Choice),
- Opportunity to share some of your businesses history,
- Award named after your company,
- Receive four tickets for you and your team to attend the event,
- Mentioned in all marketing materials,
- Recognised as a platinum sponsor.

Gold Sponsorship: \$3,000 plus GST

- Opportunity to present gold awards,
- Award named after your company,
- Receive two tickets for you and your team to attend the event,
- Mentioned in all marketing materials,
- Recognised as a gold sponsor.

Silver Sponsorship: \$2,000 plus GST

- Receive one ticket for you to attend the event,
- Mentioned in all marketing materials,
- Recognised as a silver sponsor.

Consultation

Chief Executive Officer

Pilbara Inland Chamber of Commerce and Industry

Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	3. Prosperity - We will advocate and drive opportunities for the community to be economically desirable, resilient, and prosperous.
Strategic Outcome	3.4 Sustainable commerce and tourism opportunities
Strategy	1 Support initiatives to add value to, and improve marketing of, local business.

Council Policy

Nil

Financial Implications

Current Financial Year

\$5,500 plus GST budgeted in job J3101 Business Development.

Future Financial Year(s)

Future financial year contributions will be considered annually.

Legislative Implications

Nil

Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Reputation (social/community)	If the sponsorship is not provided to support the business awards, Council could be perceived as not assisting the business community to invest, grow and develop.	Possible (3)	Moderate (3)	Moderate (5-9)	Reputation is managed by following the officer’s recommendation and maintaining strong relationships.

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be low.

Voting Requirements

Simple Majority

Officer Recommendation

That with respect to the Pilbara Inland Chamber of Commerce and Industry 2023 Business Awards Sponsorship the Ashburton Economic and Tourism Development Committee recommends that Council, agrees to provide a \$5,500 plus GST contribution to become a Platinum Sponsor of the 2023 awards.

Council Decision **147/2023**

Moved **Cr A Smith**

Seconded **Cr T Mladenovic**

That with respect to the Pilbara Inland Chamber of Commerce and Industry 2023 Business Awards Sponsorship the Ashburton Economic and Tourism Development Committee recommends that Council, agrees to provide a \$5,500 plus GST contribution to become a Platinum Sponsor of the 2023 awards.

For: **Crs K White, M Lynch, M Gallanagh, L Rumble JP, A Sullivan, A Smith and T Mladenovic**

Against: **Nil**

Carried 7/0

6.2 Tourism and Economic Development - 2023/2024 Priorities Review

File Reference	ED01
Applicant or Proponent(s)	Not Applicable
Author	P Hanlon, Manager Business and Economic Development
Authorising Officer	K Donohoe, Chief Executive Officer
Previous Meeting Reference	Nil
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	1. 2024-2028 Tourism and Economic Development Strategy Overview - Draft Update

Report Purpose

Council is required to consider the need for a planning workshop on current Tourism and Economic Development priorities.

The purpose of this report is to provide an overview of current tourism and economic development strategies and identify immediate priorities.

Council is requested to endorse the Ashburton Economic and Tourism Development Committee holding an initial priorities scoping workshop on future directions for tourism and economic development during 2023/2024.

Background

Prosperity is one of the four pillars included in the Shire of Ashburton Strategic Community Plan 2022-2032, which states that we will advocate and drive opportunities for the community to be economically desirable, resilient, and prosperous. Sustainable commerce and tourism opportunities is a key strategy adopted in the pursuit of this objective.

The Shire’s Economic and Tourism Development Strategy 2019 was developed to compliment and assist with delivering outcomes aligned to the Strategic Community Plan.

The Strategy had three main goals:

- Promote the district;
- Encourage infrastructure development and investment; and
- Promote business development.

In 2022, Council also endorsed the positioning paper, Onslow Towards a Visitor Economy. This strategic document was adopted as a key advocacy item and roadmap to grow the visitor economy in Onslow.

The Shire also commissioned the production of the Onslow Tourism Destination Management Plan which remains in draft form to be finalised.

Comments

Whilst the 2019 Economic and Tourism Development Strategy does not have a dedicated end date, it is timely to undertake an initial scoping workshop to review immediate tourism and economic development priorities.

The Economic and Tourism Development Strategy Overview 2024–2028, Draft Update (refer to **Attachment 1**) is provided to present broad context for the proposed 2023/2024 priorities review workshop.

Consultation

Chief Executive Officer
 Acting Manager Media and Communications
 Marketing Communications Officer

Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

- Strategic Objective 3. Prosperity - We will advocate and drive opportunities for the community to be economically desirable, resilient, and prosperous.
- Strategic Outcome 3.1 Coordinated delivery of economic services and projects for the community
- Strategy 3 Provide professional leadership and advice to assist Council.

Council Policy

Nil

Financial Implications

Current Financial Year

\$75,000 plus GST has been budgeted in the Business and Economic Development 2023/2024 Annual Budget to conduct the review of the Economic and Tourism Development Strategy 2019.

Future Financial Year(s)

Identified projects and deliverables will require future budget submissions on a case-by-case basis.

Legislative Implications

Nil

Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Interruption to service	There is a risk to Corporate Business Plan deliverables should the workshop not proceed.	Unlikely (2)	Minor (2)	Low (1-4)	Following the officer's recommendation will enable the planning workshop to commence which will inform the Economic and Tourism Development Strategy review.

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be low.

Voting Requirements

Simple Majority

Officer Recommendation

That with respect to the proposed 2023 Priorities Review for tourism and economic development, Council endorse the Ashburton Economic and Tourism Development Committee undertaking an initial scoping workshop on the immediate future directions for tourism and economic development during 2023/2024.

Council Decision **148/2023**

Moved **Cr M Lynch**

Seconded **Cr T Mladenovic**

That with respect to the proposed 2023 Priorities Review for tourism and economic development, Council endorse the Ashburton Economic and Tourism Development Committee undertaking an initial scoping workshop on the immediate future directions for tourism and economic development during 2023/2024.

For: **Crs K White, M Lynch, M Gallanagh, L Rumble JP, A Sullivan, A Smith and T Mladenovic**

Against: **Nil**

Carried 7/0

Audit And Risk Management Committee Meeting held on 8 August 2023**6.1 Audit Log Status Update**

File Reference	CM52
Applicant or Proponent(s)	Not Applicable
Author	D Weerasingha, Internal Auditor
Authorising Officer	D Kennedy, Director Corporate Services
Previous Meeting Reference	Ordinary Council Meeting 09 May 2023 - Item 6.2 – 084/2023
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	<ol style="list-style-type: none"> 1. Internal Audit Log Follow-up Report - 25 July 2023 - Confidential 2. Internal Audit Log - 25 July 2023 3. OAG Audit Log - 25 July 2023

Report Purpose

Council is required to review the Audit Log actions.

The purpose of this report is to provide Council oversight of the implementation of actions resulting from internal audits and external reviews.

Council is requested to receive the Audit Log status updates.

Background

The Chief Executive Officer (CEO) is required to ensure adequate systems and processes are established for the effective management and control of the Shire.

Internal audits and external reviews are examples of methods Council may use to ensure sound management of the Shire is occurring.

Following the finalisation of an internal audit and/or external review, recommendations are included in the Audit Log to ensure progress is monitored and recorded.

Comments

M/S Moore Australia WA (MA) have been validating the implementation of the internal audit recommendations since their appointment in 2020. The Shire terminated the internal audit contract with MA in December 2022 however, continued to use MA for the management of the Audit Log until 4 July 2023. The Shire appointed an inhouse Internal Auditor (SOA IA) from 15 February 2023 and the management of the Audit Log has now been assigned to that role from July 2023.

The risk criteria used by MA to rate issues is different from Shire's approved risk criteria. SOA IA has discussed this with management and management is to implement an updated Risk Management Framework. The risk ratings of outstanding Internal Audit Log actions will be reviewed following the implementation of the updated Risk Management Framework. This report maintains the risk ratings as used by MA.

This is the first Audit Log update by the SOA IA.

Within this report we have provided the following for your information:

- a) Issues that have been closed since last report.
- The Shire's amended Recordkeeping Plan (RKP) 2023014 was recently approved by the State Record Commission after a full review and update. This document represents a large body of detailed work including input from staff in all directorates. The CEO has communicated the RKP via a Shire wide email dated 18 July 2023. This has contributed to the improvement showing under the Records Management internal audit as validated 25 July 2023.
 - The Director Corporate Services has been appointed as Shire's Public Disclosure Officer (PDO) by the CEO and has informed the Public Service Commission to update their records. The Shire's website has been updated with newly appointed PDO's details for public. This has contributed to improvements showing under the Fraud and Corruption internal as validated 25 July 2023.
 - Organisational Development has provided acceptable evidence on the nominated officer for legislative compliance and delegation of authority. This has contributed to improvements showing under the Payroll and HR internal audit as validated 25 July 2023.
 - The Shire has added a training module for staff on Cyber Security and the ICT department has reviewed the backup ICT infrastructure installed at Onslow Airport in late 2016 which has contributed to improvements showing under the Cyber Security internal audit as validated 25 July 2023.
- b) Issues that are yet to be closed.
- There are 173 issues pending to close over various processes. The significant items which have categorised from "Not Started" to "In Progress" includes review of ICT procedures to rectify the issues highlighted by external auditors on the 2020-21 and 2021-22 audits.
- c) 2 recommendation owners have not provided the status update for the request made by SOA IA on 20 July 2023
- d) There is one serious Internal Audit concern mentioned in the attached report.

Internal Audit

A summary of the progress on the implementation of internal audit recommendations is provided in the following table.

Internal Audit Topics	Not Started		In Progress		Validated		Total Item		Total Open	
	25 July	27 Apr	25 July	27 Apr	25 July	27 Apr	25 July	27 Apr	25 July	27 Apr
Review of 2019 FMR	0	0	4	4	0	0	4	4	4	4
Procurement	2	2	6	7	15	14	23	23	8	8
Risk Management	3	3	12	12	4	4	19	19	15	15
Grants Management	10	10	0	0	1	1	11	11	10	10
Records Management [21]	2	2	6	8	7	5	15	15	8	10
Records Management [22]	10	11	5	7	17	14	32	32	15	18
Cyber Security	4	8	16	15	3	0	23	23	20	23
Business Continuity, Disaster Recovery and Incident Management	21	23	2	3	3	0	26	26	23	26
Building Permit Application Process	8	8	0	0	18	18	26	26	8	8
Contract Management	0	0	7	7	10	10	17	17	7	7
Fraud and Corruption	19	19	1	4	7	4	27	27	20	22
Payroll & HR	1	5	5	3	2	0	8	8	6	7
Totals	80	91	64	70	87	70	231	231	144	158

17 recommendations have been completed since last reported to the Audit and Risk Management Committee on 9 May 2023.

Financial Audits

A summary of the progress on the implementation of financial audit recommendations is provided in the following table.

Internal Audit Topics	Not Started		In Progress		Validated		Total Item		Total Open	
	25 July	27 Apr	25 July	27 Apr	25 July	27 Apr	25 July	27 Apr	25 July	27 Apr
Financial – 30 June 2016/17/18	0	0	0	0	3	3	3	3	0	0
Financial – 30 June 2019	0	0	1	1	3	3	4	4	1	1
Financial – 30 June 2020	2	2	1	1	2	2	5	5	3	3
Financial – 30 June 2021	8	0	1	0	0	0	9	0	9	9
Financial – 30 June 2022	6	0	0	0	0	0	6	0	6	6
IT General Controls 2021/22	3	0	7	0	0	0	10	0	10	10
Totals	19	2	10	2	8	8	37	12	29	29

No recommendations have been completed since last reported to the Audit and Risk Management Committee on 9 May 2023.

Consultation

The relevant members of the Executive Leadership Team and Middle Management Group were consulted on the progress of the outstanding actions on the Audit Log.

Moore Australia (up to 4 July 2023) and the Shire’s Internal Auditor have provided updates to the Audit Log and verified evidence provided to close actions.

Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	4. Performance - We will lead the organisation, and create the culture, to deliver demonstrated performance excellence to the community.
Strategic Outcome	4.6 Visionary community leadership with sound, diligent and accountable governance
Strategy	3 Deliver best practice governance and risk management.

Council Policy

Nil

Financial Implications

Current Financial Year

Nil

Future Financial Year(s)

Nil

Legislative Implications

In accordance with regulation 17 of the *Local Government (Audit) Regulations 1996*, the CEO is to review the appropriate and effectiveness of a local government’s systems and procedures in relation to:

- Risk management,
- Internal control, and
- Legislative compliance.

The CEO is to report to the Audit and Risk Management Committee, the results of each review.

Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Compliance	Compliance failures if areas identified for improvement are not addressed.	Possible (3)	Major (4)	High (10-16)	Implement process improvements as a result of internal audits/external reviews and provide regular progress reporting to the Audit and Risk Management Committee.

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be high.

Voting Requirements

Simple Majority

Officer Recommendation

That with respect to Audit Log Status Update, the Audit and Risk Management Committee recommends that Council, receives the updated Audit Log.

Council Decision **149/2023**

Moved **Cr M Lynch**

Seconded **Cr T Mladenovic**

That with respect to Audit Log Status Update, the Audit and Risk Management Committee recommends that Council, receives the updated Audit Log.

For: **Crs K White, M Lynch, M Gallanagh, L Rumble JP, A Sullivan, A Smith and T Mladenovic**

Against: **Nil**

Carried 7/0

6.2 Internal Audit Charter and Strategic Internal Audit Plan 2023-2026

File Reference	CM53
Applicant or Proponent(s)	Not Applicable
Author	D Weerasingha, Internal Auditor
Authorising Officer	D Kennedy, Director Corporate Services
Previous Meeting Reference	Nil
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	<ol style="list-style-type: none"> 1. Draft Internal Audit Charter ⇒ 2. Draft Strategic Internal Audit Plan 2023-2026 - Confidential

Report Purpose

The purpose of this report is to establish Internal Audit Charter (IAC) and Strategic Internal Audit Plan (SIAP) 2023-2026, including a detailed internal audit work plan for 2023-2024. This IAC also identifies important concepts and core principles of internal audit, in compliance with the risk management and internal audit requirements outlined in the:

- Internal Audit Roadmap 2023-2026
- Audit and Risk Management Committee Terms of Reference
- *Local Government Act 1995* and associated Regulations
- Department of Local Government, Sport, and Cultural Industries (DLGSC) Operational Guidelines
- International Professional Practice Framework of the Institute of Internal Auditors – International and Australia.

The Audit and Risk Management Committee is requested to review and recommend the Internal Audit Charter and Strategic Internal Audit Plan 2023-2026 to Council for adoption.

Background

Previous Regulation 17 Reviews have highlighted that Shire doesn't have an Internal Auditor/function. As response to this finding, management has agreed to establish an Internal Audit function internally. As per the Organisational Structure, the Internal Auditor position was created and recruited with effect from 15 February 2023. As per the position description, the Internal Auditor is to autonomously conduct the Internal Audit function.

The Internal Audit Roadmap 2023-2026 was adopted on 9 May 2023, which identified the Internal Audit Charter and Strategic Internal Audit Plan 2023-2026 to be presented for Council's consideration in August 2023.

Comments

Internal Audit Charter

The purpose of Shire of Ashburton's (the Shire) Internal Audit department is to provide independent, objective assurance and consulting services designed to add value and improve the Shire's operations.

The mission of internal audit is to enhance and protect organisational value by providing risk-based and objective assurance, advice, and insight. The Internal Audit department helps the Shire accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of governance, risk management and control processes. The IAC details the following internal audit functions:

- Purpose and mission
- Standards for the professional practice of internal auditing
- Authority
- Independence and objectivity
- Scope of internal audit activities
- Responsibility
- Quality assurance and improvement program.

Strategic Internal Audit Plan 2023-2026

The SIAP is a comprehensive blueprint that outlines the audit approach and objectives aligned with Shire's goals in Strategic Community Plan 2022-2032 (SCP) and risk management priorities. This SIAP serves as a roadmap for the internal audit function, providing a clear direction to assess and enhance the effectiveness of the Shire's governance, risk management and internal control processes. By aligning the internal audit activities with the objectives in the SCP, the SIAP ensures that resources are optimally utilised to address critical areas of concern. Moreover, it enables the Audit and Risk Management Committee to oversee the internal audit function's performance, ensuring that it remains agile and responsive to emerging risks while maintaining its independence and objectivity. The SIAP is a key tool in promoting accountability, transparency, and continuous improvement, contributing significantly to the overall success and resilience of the organisation in an ever-evolving community focused business landscape. The SIAP identifies:

- Introduction with code of ethics, standards, IAC, core principles
- Internal audit planning and resourcing
- Risk assessment and prioritisation
- Alignment with SCP objectives
- Specific internal audit work schedule 2023-2024
- Internal audit work plan scope 2024-2025 and 2025-2026
- Resource allocation.

Consultation

The Manager Governance, Director Corporate Services, Executive Leadership Team (ELT) and Chief Executive Officer (CEO) have been consulted in the development of the IAC and SIAP.

On 13 December 2023, Council endorsed the amended Organisational Structure with the inclusion of a Financial Audit Controller position. The Shire is currently in the process of recruiting for this position. In the adopted Organisational Structure, the Internal Auditor was to report to the Financial Audit Controller, and the Financial Audit Controller would report to the Audit and Risk Management Committee.

The purpose of the Financial Audit Controller role is to support management with the implementation of policies, procedures, controls, and plans.

In accordance with the Institute of Internal Auditors (IIA) standards and DLGSC operational guidelines, internal auditors cannot handle and be held responsible for management activities. To ensure that independence and objectivity of internal audit department is upheld, the CEO and ELT have advised that the Internal Auditor will focus on assurance and consulting activities and will be kept independent of the Financial Audit Controller. The Internal Auditor will functionally report directly to the Audit and Risk Management Committee and administratively report to the CEO or his delegate.

Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	4. Performance - We will lead the organisation, and create the culture, to deliver demonstrated performance excellence to the community.
Strategic Outcome	4.6 Visionary community leadership with sound, diligent and accountable governance
Strategy	3 Deliver best practice governance and risk management.

Council Policy

Nil

Financial Implications

Current Financial Year

Budget for the internal audit work plan has been approved in the 2023/2024 Annual Budget.

Future Financial Year(s)

Each financial year the Internal Audit Plan will identify the budget requirements for process, training, outsourcing (where required) and logistics.

Legislative Implications

Section 7.1A of the *Local Government Act 1995* requires the local government to establish an audit committee. The *Local Government (Audit) Regulations 1996* prescribe the functions of the audit committee and the local government’s obligations to ensure an effective internal audit function.

Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Compliance	Increased exposure to fraud, inadequate risk management, non-compliance with legislation, inefficient use of resources, limited accountability and transparency, reputational damage.	Almost Certain (5)	Catastrophic (5)	Extreme (17-25)	Establish an effective internal audit function in compliance with the International Professional Practice Framework and regulatory requirements. Adopt IAC and SIAP and implement. Establish and operate an effective Risk Management Framework ISO31000.

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be low.

Voting Requirements

Simple Majority

Officer Recommendation

That with respect to Internal Audit Charter and Strategic Internal Audit Plan 2023-2026, the Audit and Risk Management Committee recommends that Council,

1. Adopts the Internal Audit Charter as detailed in Attachment 1.
2. Adopts the Strategic Internal Audit Plan 2023-2026 as detailed in Attachment 2.

Council Decision **150/2023**

Moved **Cr M Lynch**

Seconded **Cr T Mladenovic**

That with respect to Internal Audit Charter and Strategic Internal Audit Plan 2023-2026, the Audit and Risk Management Committee recommends that Council,

- 1. Adopts the Internal Audit Charter as detailed in Attachment 1.**
- 2. Adopts the Strategic Internal Audit Plan 2023-2026 as detailed in Attachment 2.**

For: **Crs K White, M Lynch, M Gallanagh, L Rumble JP, A Sullivan, A Smith and T Mladenovic**

Against: **Nil**

Carried 7/0

At 1:20 pm, Cr Alana Sullivan left the meeting.

At 1:20 pm, Cr Melanie Gallanagh left the meeting.

12 Office of the Chief Executive Officer Reports

Cr M Gallanagh disclosed an indirect financial interest in Item 12.1 (detailed in Item 5.2).

Deputy Shire President Cr M Lynch disclosed an indirect financial interest in Item 12.1 (detailed in Item 5.2).

Cr T Mladenovic disclosed a direct financial interest in Item 12.1 (detailed in Item 5.2).

Cr A Smith disclosed a direct financial interest in Item 12.1 (detailed in Item 5.2).

Cr L Rumble JP disclosed a direct financial interest in Item 12.1 (detailed in Item 5.2).

Cr A Sullivan disclosed a direct financial interest in Item 12.1 (detailed in Item 5.2).

12.1 Response to Department of Jobs, Tourism, Science and Innovation on a Draft Proposal from Hamersley Iron (Rio Tinto) to extend approval for Jundunmunnah Camp, Tom Price until 31 December 2033

File Reference	ED69
Applicant or Proponent(s)	Hamersley Iron (Rio Tinto) – Via the Department of Jobs, Tourism, Science, and Innovation
Author	L Advisory, LK Advisory Pty Ltd
Authorising Officer	K Donohoe, Chief Executive Officer
Previous Meeting Reference	Ordinary Council Meeting 24 October 2006 - Item 12.10.070 Ordinary Council Meeting 20 November 2007 - Item 13.11.41 Ordinary Council Meeting 16 November 2011 - Item 13.1 – 11066 Ordinary Council Meeting 21 November 2017 - Item 14.3 – 268/2017 Ordinary Council Meeting 8 September 2020 - Item 13.1 – 147/2020
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	1. Iron Ore (Hamersley Range) Agreement Act 1963 ⇒ 2. Draft proposal Jundunmunnah - Confidential

Report Purpose

To seek Council's endorsement to provide comments to the Department of Jobs, Tourism, Science, and Innovation (DJTSI) on a draft proposal from Hamersley Iron (Rio Tinto) to seek the Minister for State Development's approval under the Iron Ore (Hamersley Range) Agreement 1963 for Jundunmunnah Camp south of Tom Price to be extended for a further 10 years, until 31 December 2033.

Background

Rio Tinto's Mt Tom Price iron ore mine operates under the authority of a State Agreement Act – the *Iron Ore (Hamersley Range) Agreement Act 1963* (Agreement). A copy is attached to this report for reference (**Attachment 1**).

The Agreement enabled the development of the Mt Tom Price iron ore mine and established obligations on the Company (Hamersley Iron Pty Ltd, a subsidiary of Rio Tinto) and the State, including that the Company provide townsites on the mining areas, services, and housing to sustain mine workers and families.

The Tom Price townsite was developed by the Company in 1966 and by 1968, had a population of 3,000 people, which is nearly the same as the Census recorded population of 2021 (2,910 persons). Whilst there are several privately owned properties in Tom Price, most Rio Tinto employees and their families are housed in residential houses and single room workforce accommodation complexes operated by Rio Tinto, including the Windawarri Village which provides 455 accommodation rooms.

Since the early 2000s, mining companies have increasingly utilised fly in, fly out (FIFO) workforces for both construction and operational mining needs. The Jundunmunnah Village (Figure 1 below), also referred to as 'Tom Price Camp', is situated approximately 4km south of Tom Price, and was initially created in 2004 as a temporary 120-person camp to accommodate the construction workforce for Rio Tinto's Mt Tom Price mine. At the time, it was indicated that the Jundunmunnah Village would only be needed for 9 months.

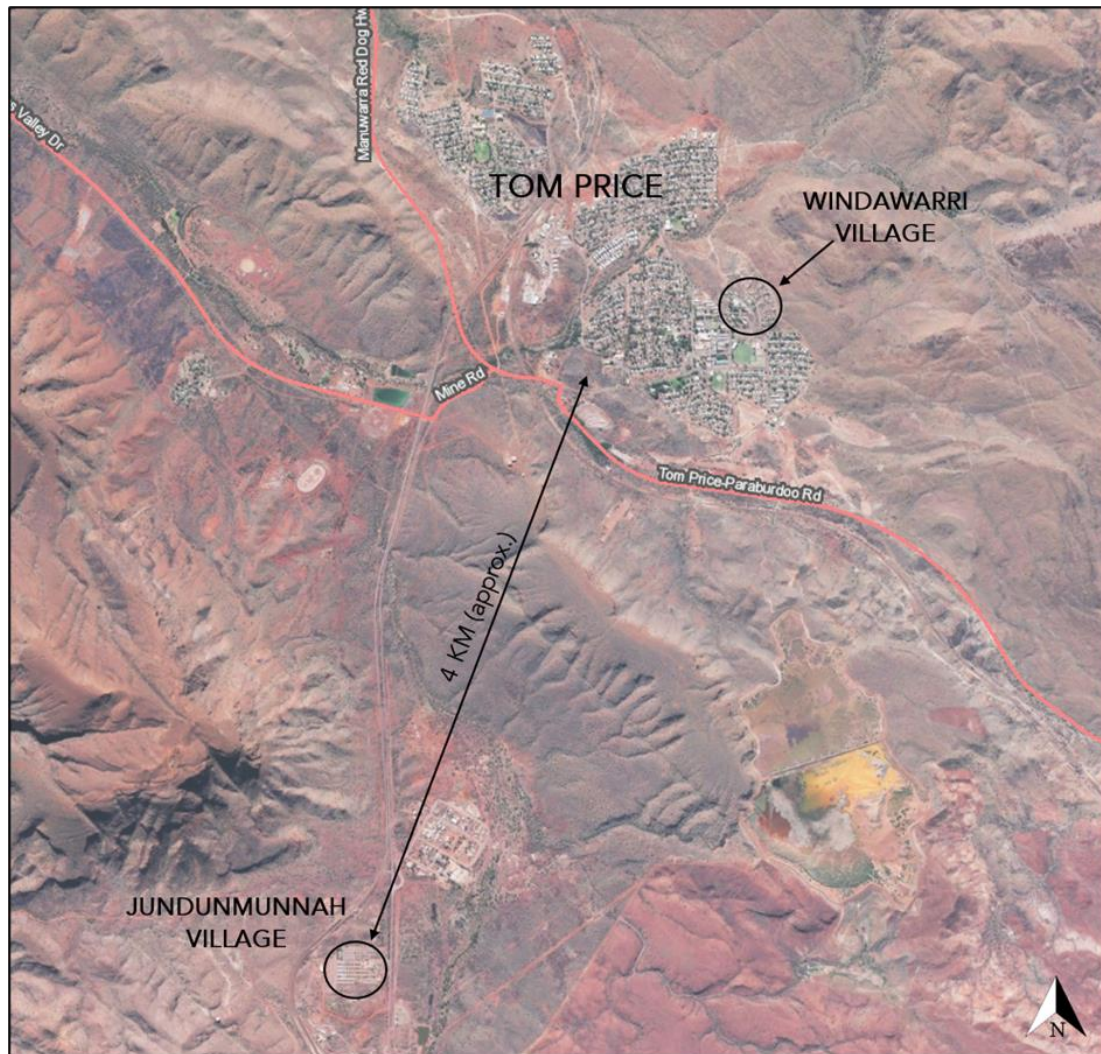


Figure 1 – Jundunmunnah Village location

Since 2004, eight approvals have been granted under the Agreement to expand the Jundunmunnah Village and/or extend its term of approval. Generally, Council has been reluctant to support the requested expansions and/or extensions and has consistently sought that the accommodation be instead provided in the Tom Price townsite, as well as commitments from Rio Tinto to relinquish land and contribute funding towards community and infrastructure projects within the Tom Price townsite. A chronological summary of these approvals and Council’s response is provided in Table 1 below.

Table 1 – Summary of Jundunmunnah Village Expansions and Extensions to the Term of Approval

Date	Proposal	Shire response	Minister Approval
May 2005	Expansion to accommodate 360 construction workers for a period of two years.	Council did not support the extension unless it was accompanied by a commitment from Pilbara Iron P/L (now Rio Tinto) to work with the Shire and other local agencies, to minimise the detrimental social impacts of the proposal on Tom Price (17	Expansion to 360 beds until 31 December 2006.

Date	Proposal	Shire response	Minister Approval
		May 2005 Ordinary Council Meeting).	
Late 2006	<p>Extension of the facility until 31 December 2011 and to be used by mine operation staff (in addition to construction staff).</p> <p>The facility had been expanded to 400 beds in early 2006 and extended to mid-2007 by the then Department of Industry and Resources (DIR).</p>	<p>Council resolved that while it did not support FIFO resource projects, it recognised the specific circumstances of this case and had no objection to the extension until December 2011, subject to the finalisation of a 'value proposition' agreement with the company (24 October 2006 Ordinary Council Meeting).</p>	<p>Extension until 31 December 2007 (not 2011 as requested).</p>
2007	<p>Rio Tinto requested that the Shire provide a letter of support for the extension of Jundunmunnah Village on the basis that Rio Tinto had made satisfactory progress in relinquishing certain land in Tom Price for residential use by others.</p>	<p>Council resolved to not provide a letter confirming that satisfactory progress had been made in the release of Rio Tinto controlled land. Council was of the opinion however that an extension until 31 December 2008 was warranted subject to Rio Tinto undertaking infrastructure capacity investigations in Tom Price, upgrading the infrastructure, relinquishing land, and committing to several other infrastructure and normalisation actions. (20 November 2007 Ordinary Council Meeting).</p>	<p>Extension approved until 31 December 2008. The Minister for State Development noted that when considering any further extension, he would have regard to whether the company had released land for future residential development and whether other matters raised by the Shire had been addressed.</p>
31 Dec 2008	<p>Request details unknown.</p>	<p>The Shire's electronic archives do not indicate whether this request was forwarded to the Shire for comment, or a response provided either by Shire staff or Council.</p>	<p>Approval granted for a 300 person increase in accommodation capacity (total of 700 person), until 31 December 2011.</p>
November 2011	<p>Extension for five years, until 2016.</p>	<p>Council supported a 2-year extension and advised that it would support a further 3-year extension once RTIO had</p>	<p>Extension approved until 31 December 2014.</p>

Date	Proposal	Shire response	Minister Approval
		addressed several concerns first raised in 2007 relating to the provision of infrastructure, planning, relinquishment of certain land parcels, and the normalisation of infrastructure in Tom Price (16 November 2011 Council Minutes).	
July 2015	Extension until 31 December 2017.	Response provided from Shire Officer supporting the extension on the basis that work towards the release of Lot 314 ('Golf Course lot') and Lot 46 for residential development was progressing, that electricity upgrades were underway in town and that accommodation was at capacity at the time.	Unknown based on the electronic records reviewed, however assume extension was approved.
Oct 2017	Extension until 31 December 2020. Rio Tinto indicated that since the last extension request, Lot 314 had been relinquished, and power and water upgrades undertaken.	Council supported a 12 month extension only until 31 December 2018, on the basis that Rio Tinto produce an accommodation strategy which addresses on-going accommodation needs in Tom Price, prior to any further extension being considered and supported. (21 November 2017 Council Minutes).	Extension approved on 21 December 2017 until 31 December 2020, for 698 rooms.
Aug 2020	Extension for four years until 31 December 2024.	Council conditionally supported a two year extension on the basis that Rio Tinto provides a detailed plan to integrate its transient workforce into the Tom Price townsite within 12 months. Council reaffirmed its position that it supported the decommissioning of Jundunmunnah Village and Council's position that resource companies move away from FIFO workforces and rely on a residential workforce, and where operational camps are required, that these be constructed inside the townsite. (8 September 2020 Council Minutes).	Extension approved for three years until 31 December 2023.

More recently, on 4 July 2022, Rio Tinto wrote to the Shire advising of its intention to seek an extension for Jundunmunnah Village and of its commitments to funding community infrastructure and services within the Shire, as follows:

1. A commitment to extend the Community Infrastructure and Services Partnership (CISP) with the Shire and committing \$37.5 million over the next 10 years for future community projects and events.
2. A commitment of \$10 million to agreed priority projects in Tom Price identified in the Shire's Community Lifestyle Infrastructure Plan (CLIP) once complete.
3. A transfer of 30 freehold residential properties located in Tom Price and Paraburdoo to the Shire for \$1 per property, with the first tranche expected to occur in Q4 2022 and the second tranche expected to be finalised by Q1 2024.

On 13 September 2022, Council considered Rio Tinto's letter and resolved as follows:

"That with respect to the Proposed Development of Windawarri and Jundunmunnah Villages and Sale of Housing Offer by Rio Tinto dated 4 July 2022, Council:

- a) *Notes Rio Tinto's intentions regarding Windawarri and Jundunmunnah Villages, recognising that any amendment approvals to the villages will be undertaken through the Mining Act 1978.*
- b) *Instructs the Chief Executive Officer to continue to negotiate with Rio Tinto to finalise the terms surrounding the Community Infrastructure and Services Partnership, Community Lifestyle and Infrastructure Plan and the purchase of the 30 houses, noting that a recommendation to Council will be made at a later meeting, and*
- c) *Requests the Chief Executive Officer to write to Rio Tinto accepting the offer of funds and houses with details to be negotiated and that Council will comment on the Windawarri and Jundunmunnah proposals through the Mining Act 1978 referral process."*

(Refer Council decision 117/2022)

It is also noted that Rio Tinto provided confidential briefings to the Shire's Council and Executive on 12 April 2022 and 9 May 2023 on its activities and plans relevant to the Shire, including information pertaining to the possible extension of Jundunmunnah Village and investigations and stakeholder engagement outcomes in relation to the possible extension. Copies of Rio Tinto's briefing presentation are available for Elected Members upon request and on a confidential basis.

Proposal

On 30 June 2023, the DJTSI emailed the Shire inviting comment on a draft proposal from Hamersley Iron Pty Ltd (Rio Tinto) that seeks the Minister for State Development's approval under the *Iron Ore (Hamersley Range) Agreement 1963* for Jundunmunnah Camp south of Tom Price to be extended for a further 10 years, until 31 December 2033.

DJSTI has granted the Shire until close of business, Friday 11 August 2023, to provide comments.

In support of the requested extension, Rio Tinto highlighted several matters that are summarised below. **Attachment 2** provides Rio Tinto's full letter to DJTSI.

1. Rio Tinto has undertaken an extension study for Windawarri Village, with update reports submitted to the Minister on 20 December 2021 and 14 December 2022.

2. These reports have identified constraints to expanding the Windawarri Village, resulting in significantly higher site establishment costs compared to benchmark, and a delayed construction schedule. Accordingly, Rio Tinto has not progressed the proposed expansion of the Windawarri Village to a final investment decision.
3. The site constraints identified by Rio Tinto's extension study included heritage matters, the presence of and requirement to relocate high voltage power infrastructure within the proposed expansion area, topographical constraints, and built form matters.
4. The extension study also considered improving room sharing efficiency of existing rooms at Windawarri Village however rostering pattern issues led to the elimination of this option.

Rio Tinto further highlighted that its Tom Price residential accommodation is highly utilised (greater than 90% occupancy), and that recent refurbishments have occurred resulting in 103 refurbished houses over the period between 2019-2022 and a further 34 houses to be refurbished in 2023.

'Additional Proposal' provisions of the Agreement

Rio Tinto's request for an extension to the term of Jundunmunnah Village is made under the Clause 8A 'Additional Proposals' provisions of the Agreement.

Clause 8B(1) of the Agreement establishes the Minister's options for determining the Additional Proposal, as follows:

- "(1) In respect of each proposal pursuant to subclause (1) of clause 8A the Minister shall:*
- (a) Subject to the limitations set out below, refuse to approve the proposal (whether it requests the grant of new tenure or not) if the Minister is satisfied on reasonable grounds that it is not in the public interest for the proposal to be approved; or*
 - (b) Approve the proposal without qualification or reservation; or*
 - (c) Defer consideration of or decision upon the same until such time as the Company submits a further proposal or proposals in respect of some of the matters mentioned in clause 8A(1) not covered by the said proposal; or*
 - (d) Require as a condition precedent to the giving of his approval to the said proposal that the Company make such alteration thereto or comply with such conditions in respect thereto as he thinks reasonable, and in such a case the Minister shall disclose his reasons for such conditions."*

Later under Clause 8B(1) of the Agreement, when considering whether to refuse a proposal, the Minister is to assess whether or not implementation of the proposal by itself, or together with any one or more of the other submitted proposals, will (emphasis added):

- (i) Detrimentially affect economic and orderly development in the said State, including without limitation, infrastructure development in the said State; or*
- (ii) Be contrary to or inconsistent with the planning and development policies and objectives of the State; or*
- (iii) Detrimentially affect the rights and interests of third parties; or*
- (iv) Detrimentially affect access to and use by others of the lands the subject of any grant or proposed grant to the Company."*

Comments

It is recommended that the Shire focus its consideration and response on sub paragraphs (i) and (ii) of Clause 8B(1) stated and emphasised above, as these are matters in which the Shire has expertise and a relevant documented position.

The incremental expansion and extension of Jundunmunnah Village over the past nearly 20 years has been and will continue to be at the expense of growth and development in Tom Price. Over this time, the investment and operational costs of Jundunmunnah Village could have instead been used towards growing and establishing Tom Price as a permanent residential option for many mining workers and families.

The 10-year extension period requested by Rio Tinto indicates a significant commitment to extended mining activity in the region. Investment commitments of this scale should be leveraged to benefit the community and surrounding townsites and not be isolated for mining operations. In Administration’s opinion, extension to Jundunmunnah Village for 10 years would represent a loss of economic and orderly development opportunities for Tom Price.

With regards to sub paragraph (ii) of Clause 8B(1) of the Agreement, the State and Shire have an established planning and development framework that considers workforce accommodation. Although in this instance, development approval is not required under the Shire’s local planning scheme, the planning framework articulates the State and Shire’s position and is therefore relevant to the requested extension.

Table 2 below provides relevant extracts from several State and Shire planning strategies and policies that combine to clearly articulate that workforce accommodation should be provided within established townsites where practicable.

Table 2 – Extracts from Planning Framework

Document	Extract
Pilbara Planning and Infrastructure Framework 2012 (WAPC)	<i>“It is important that short-term transient workforce accommodation is aligned with long-term planning and community outcomes. In urban situations, this type of accommodation needs to be integrated into the urban fabric rather than be segregated developments. Preference needs to be given to forms of transient workforce accommodation development, that can perform longer-term urban functions, rather than be demolished after a short life”, (page 16).</i>
Position Statement: Workforce Accommodation 2018 (WAPC)	Position Statement: <i>“Where practicable, workforce accommodation should be provided in established towns, in locations suitable to its context, to facilitate their ongoing sustainability”, (page 1).</i>
Shire of Ashburton Local Planning Strategy (Endorsed by WAPC 21 June 2021)	<i>“The Shire acknowledges the WAPC’s Position Statement – Workforce Accommodation and supports the fundamental position that, wherever possible, workers are housed in established towns where they are able to both contribute to and benefit from local social and economic opportunities” (page 25).</i> <i>With regard to operational workers, the Shire strongly opposes the FIFO model and the housing of permanently employed staff in short-term accommodation, preferring that such workers be employed on a residential basis, contributing to the growth and development of towns within the Shire”, (page 26).</i>

Document	Extract
	<p><i>“The Shire remains committed towards integrating workforce with towns. There are benefits for local communities and FIFO workforce. The location of the four townsites near major industrial developments (such as mine sites and the ANSIA) provides reasonable opportunities for operational workforce to reside within towns and not in camps”, (page 68).</i></p>
<p>Local Planning Policy 13: Transient Workforce Accommodation (SOA)</p>	<p><i>“The Council of the Shire of Ashburton does not support “fly-in, fly-out” mining as Council considers that it leads to a loss of economic and social value to the Shire and the regional area as a whole. The Council does acknowledge that there will be circumstances such as remoteness and limited life of a particular mining or industrial activity that result in a need for Transient Workforce Accommodation camps to be established.”</i></p>

The location of Jundunmunnah Village is not consistent with objectives of the State or Shire’s planning framework which promote and prioritise accommodation for operational workers within established townsites.

The requested extension and Rio Tinto’s publicly announced investment plans for the Greater Tom Price area¹, demonstrate there is considerable life span remaining for Rio Tinto’s mining operations and therefore opportunity for Rio Tinto to develop and provide housing options that contribute to the sustainability of Tom Price and offer lifestyle choice for its workforce and families.

Rio Tinto states that over 90% of its housing stock within Tom Price is utilised which demonstrates a high level of demand amongst its workforce for permanent housing in the town.

Rio Tinto’s land availability and suitability issues associated with adding capacity to the Windawarri Village are acknowledged however do not appear to have been properly interrogated or costed based on the information provided to the Shire. For example, the ‘constraint’ of undertaking a heritage survey is an issue of time delay rather than acknowledging that heritage surveys for land development are a standard consideration and one that Rio Tinto would have been aware of for many years. Similarly, no costing information has been provided to validate the statement that the site constraints result in *‘significantly higher site establishment costs compared to the benchmark.’*

It should be noted for context that Rio Tinto are the utility providers for power, sewer, and water in Tom Price.

It also does not appear that Rio Tinto has considered additional unallocated Crown land around Tom Price that may be capable of development such as the land identified for ‘Urban Investigation’ in the Shire’s Local Planning Strategy shown in Figure 2.

¹ ‘Rio Tinto invests \$1b in Pilbara iron ore mine’, Australian Financial Review, 27 Nov 2019. <https://www.afr.com/companies/mining/rio-tinto-invests-1-bn-in-pilbara-iron-ore-mine-20191127-p53ejn>

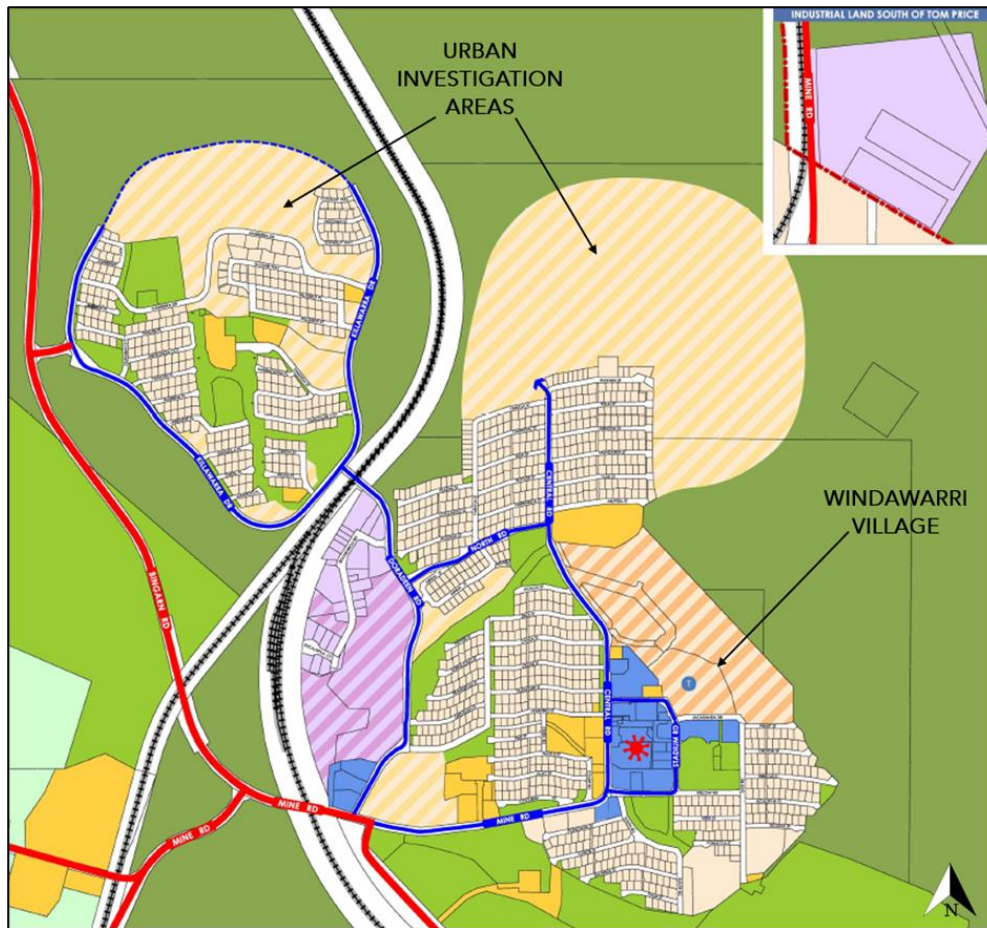


Figure 2 – Extract of Plan 3 Tom Price Town Site Strategy Plan, Local Planning Strategy 2021





Figures 3 & 4 – Site context of several “urban investigation areas” around Tom Price.

Furthermore, some of Rio Tinto’s housing may be capable of supporting additional dwellings under residential density changes being considered by the Shire’s new local planning scheme, in line with the actions of the Local Planning Strategy. This opportunity has also not been considered by Rio Tinto based on the information provided.

Financial Commitments

As noted earlier, Rio Tinto has highlighted its financial contribution commitments to the Shire in the form of the Community Infrastructure and Services Partnership (CISP), Community Lifestyle Infrastructure Plan (CLIP), future 'Inspire Agreement' currently being negotiated and sale of housing stock to the Shire over the next two years. Although these contributions are significant and valued by the Shire, they should have no bearing on how the Council considers the requested extension, which turns on the question of whether operational mining workers should reside in the Tom Price townsite or continue to be housed in the Jundunmunnah Village.

Options and Recommendation

Three options are presented below for Council’s consideration.

Option 1 – Not support

This is Administration’s preferred option.

Council could resolve to not support the requested extension of the Jundunmunnah Village to 31 December 2033 for reasons including the following:

1. The extension will detrimentally impact the economic and orderly development of Tom Price as:
 - a. The extension will divert investment and expenditure in accommodation away from the town.
 - b. Investment in Tom Price would increase the supply of accommodation and housing in Tom Price, thereby contributing to the growth and long-term sustainability of the town.
 - c. Rio Tinto's existing housing stock in Tom Price is near capacity indicating a demand from its workforce to reside in Tom Price.
 - d. Extending the temporary accommodation facilities at Jundunmunnah Village does not encourage the relocation of workers and their families to Tom Price or the region.
2. The extension is contrary to and inconsistent with the planning and development policies and objectives of the State and Shire as articulated in the following documents:
 - a. Western Australian Planning Commission 'Pilbara Planning and Infrastructure Framework 2012'.
 - b. Western Australian Planning Commission 'Position Statement – Workforce Accommodation 2018'.
 - c. Shire of Ashburton Local Planning Strategy 2021.
 - d. Shire of Ashburton Local Planning Policy 13 – Transient Workforce Accommodation.

Option 2 – Conditional Support

Council could support the requested extension of the Jundunmunnah Village to 31 December 2033 subject to conditions including the following:

1. That prior to the Minister determining the requested extension, Rio Tinto submit a 'Transition Plan', for consideration by the Minister and the Shire, that commits to a staged reduction in accommodation units at Jundunmunnah Village and a commensurate increase in the provision of permanent housing options within the Tom Price townsite.
2. The Transition Plan referred to in above 1 should achieve a complete closure of the Jundunmunnah Village by 31 December 2033 and identify and address all necessary constraints associated with providing permanent housing in Tom Price, including but not limited to:
 - a. Land and heritage surveys.
 - b. Infrastructure and servicing requirements.
 - c. Land tenure and town planning.
 - d. Housing typology and built form considerations.

3. The Minister should ensure that any approval granted for the extension of Jundunmunnah Village is final and conditional on Rio Tinto’s implementation of the Transition Plan. This could be achieved by granting incremental approval timeframes that can only be extended whereby certain commitments have been met by Rio Tinto.

Option 3 – Unconditional Support

Council could support the requested extension of the Jundunmunnah Village to 31 December 2033 without any conditions or stipulations.

Consultation

The Shire has not consulted with the community on the request at this stage.

Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	2. Place - We will provide sustainable, purposeful, and valued built and natural environment opportunities for the community.
Strategic Outcome	2.6 Land use opportunities to benefit current and future communities
Strategy	1 Plan for diverse land, housing, and development opportunities.

Council Policy

Council Policy – Industry Contribution to Social and Community Infrastructure.

- provide a governance framework that can guide any discussion which:
 - is between the Shire of Ashburton (the Shire) and a project proponent;
 - involves a proposal for a contribution to be made by the proponent towards social and community infrastructure;
 - occurs during the pre-planning, planning, construction and commissioning phases of a major resource sector project; and
- establish business rules that quarantine the discussion from the assessment of any development application or the imposition of any condition for the provision of infrastructure that is considered to satisfy the ‘need and nexus’ principles of State Planning Policy 3.6 - Infrastructure Provisions.

Local Planning Policy 13: Transient Workforce Accommodation.

- To provide advice for potential developers of Transient Workforce Accommodation for the mining, construction and other industries.
- To ensure that operators and developers are aware of the requirements in providing, managing and removal of the camps.
- To establish guidelines to be used in considering any applications proposed for the development of these camps.
- Specify a time period for approval of Transient Workforce Accommodation camps.

Financial Implications

Current Financial Year

There are no financial implications associated with the Proposal at this stage as the Shire is only providing comment to DJTSl.

The Shire’s planning consultants, LK Advisory provided input into this report.

Future Financial Year(s)

Nil.

Legislative Implications

Local Planning Scheme No. 7

The Jundunmunnah Village is located on land reserved ‘Conservation, Recreation and Nature Landscape’ under Local Planning Scheme No. 7. This reserve is intended to accommodate a broad range of natural and modified land uses and development and may, subject to relevant approvals, include extractive or resource processing industry and infrastructure.

Iron Ore (Hamersley Range) Agreement Act 1963 (Agreement)

Clause 11(g) of the Agreement requires the State to ensure the land subject to the mineral lease and any associated lease are zoned for such use and that the Company’s activities may be undertaken and carried out without interference or interruption from the State or local government on the grounds that such activities are contrary to any zoning, by-law, regulation or order.

This is a common clause in State Agreements that essentially ensures the Company can implement works covered by the Agreement despite any local government planning framework and without needing to obtain development approval under a local planning scheme.

Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Reputation (social/community)	Not providing a response to DJTSl would be a missed opportunity to advocate for the Shire’s interests.	Possible (3)	Minor (2)	Moderate (5-9)	Adopt the Officer’s Recommendation

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be medium.

Voting Requirements

Simple Majority

Officer Recommendation

That with respect to the request for comment from the Department of Jobs, Tourism, Science and Innovation on the draft proposal from Hamersley Iron (Rio Tinto) to seek the Minister for State Development's approval under the *Iron Ore (Hamersley Range) Agreement 1963* for Jundunmunnah Village south of Tom Price to be extended for a further 10 years, until 31 December 2033, Council,

1. Advises the Department of Jobs, Tourism, Science and Innovation that it does not support the requested extension for the following reasons:
 - (a) The extension will detrimentally impact the economic and orderly development of Tom Price as:
 - (i) The extension will divert investment and expenditure in accommodation away from the town.
 - (ii) Investment in the townsite would increase the supply of accommodation and housing in Tom Price thereby contributing to the growth and long-term sustainability of the town.
 - (iii) Rio Tinto's existing housing stock in Tom Price is near capacity indicating a demand from its workforce to reside in Tom Price.
 - (iv) Extending the temporary accommodation facilities at Jundunmunnah Village does not encourage the relocation of workers and their families to Tom Price or the region.
 - (v) Rio Tinto has advised it has recently abandoned its project to construct 20 new residences in Tom Price.
 - (b) The extension is contrary to and inconsistent with the planning and development policies and objectives of the State and Shire as articulated in the following documents:
 - (i) Western Australian Planning Commission 'Pilbara Planning and Infrastructure Framework 2012', specifically that transient workforce accommodation needs to be integrated into the urban fabric rather than be segregated developments (page 16).
 - (ii) Western Australian Planning Commission 'Position Statement – Workforce Accommodation 2018', specifically that "*where practicable, workforce accommodation should be provided in established towns, in locations suitable to its context, to facilitate their ongoing sustainability*" (page 1).
 - (iii) Shire of Ashburton Local Planning Strategy 2021, specifically that "*with regards to operational workers, the Shire strongly opposes the FIFO model and the housing of permanently employed staff in short-term accommodation, preferring that such workers be employed on a residential basis, contributing to the growth and development of towns within the Shire*" (page 26).
 - (iv) Shire of Ashburton Local Planning Policy 13 – Transient Workforce Accommodation, specifically that "the Council of the Shire of Ashburton does not supply "*fly-in, fly-out*" mining as Council considers that it leads to a loss of economic and social value to the Shire and the regional area as a whole" (page 1); and

2. Authorises the Chief Executive Officer to write to the Department of Jobs, Tourism, Science and Innovation and the Hon. Minister for State Development advising of Council's decision.

Council Decision 151/2023

Moved Cr M Lynch

Seconded Cr T Mladenovic

That with respect to the request for comment from the Department of Jobs, Tourism, Science and Innovation on the draft proposal from Hamersley Iron (Rio Tinto) to seek the Minister for State Development's approval under the *Iron Ore (Hamersley Range) Agreement 1963* for Jundunmunnah Village south of Tom Price to be extended for a further 10 years, until 31 December 2033, Council,

1. **Advises the Department of Jobs, Tourism, Science and Innovation that it does not support the requested extension for the following reasons:**
 - (a) **The extension will detrimentally impact the economic and orderly development of Tom Price as:**
 - (i) **The extension will divert investment and expenditure in accommodation away from the town.**
 - (ii) **Investment in the townsite would increase the supply of accommodation and housing in Tom Price thereby contributing to the growth and long-term sustainability of the town.**
 - (iii) **Rio Tinto's existing housing stock in Tom Price is near capacity indicating a demand from its workforce to reside in Tom Price.**
 - (iv) **Extending the temporary accommodation facilities at Jundunmunnah Village does not encourage the relocation of workers and their families to Tom Price or the region.**
 - (v) **Rio Tinto has advised it has recently abandoned its project to construct 20 new residences in Tom Price.**
 - (b) **The extension is contrary to and inconsistent with the planning and development policies and objectives of the State and Shire as articulated in the following documents:**
 - (i) **Western Australian Planning Commission 'Pilbara Planning and Infrastructure Framework 2012', specifically that transient workforce accommodation needs to be integrated into the urban fabric rather than be segregated developments (page 16).**
 - (ii) **Western Australian Planning Commission 'Position Statement – Workforce Accommodation 2018', specifically that “where practicable, workforce accommodation should be provided in established towns, in locations suitable to its context, to facilitate their ongoing sustainability” (page 1).**
 - (iii) **Shire of Ashburton Local Planning Strategy 2021, specifically that “with regards to operational workers, the Shire strongly opposes the FIFO model and the housing of permanently employed staff in short-term accommodation, preferring that such workers be**

employed on a residential basis, contributing to the growth and development of towns within the Shire” (page 26).

- (iv) Shire of Ashburton Local Planning Policy 13 – Transient Workforce Accommodation, specifically that “the Council of the Shire of Ashburton does not supply *“fly-in, fly-out” mining as Council considers that it leads to a loss of economic and social value to the Shire and the regional area as a whole*” (page 1); and

2. Authorises the Chief Executive Officer to write to the Department of Jobs, Tourism, Science and Innovation and the Hon. Minister for State Development advising of Council’s decision.

For: Crs K White, M Lynch, L Rumble JP, A Smith and T Mladenovic

Against: Nil

Carried 5/0

Procedural motion

Moved Cr T Mladenovic

Seconded Cr M Lynch

That Council, pursuant to Clause 5.2(1) of the *Shire of Ashburton Standing Orders Local Law 2012* changed the order of business to bring forward item Responsible Authority Report (RAR) - Amendment to Development Assessment Panel (DAP) Approval for Transient Workforce Accommodation & Supporting Facilities at Lots 61, 603 and 605 Rocklea Road and Lot 623 McRae Avenue, Paraburdoo.

For: Crs K White, M Lynch, L Rumble JP, A Smith and T Mladenovic

Against: Nil

Carried 5/0

Cr M Gallanagh disclosed a direct financial interest in Item 12.3 (detailed in Item 5.2).

Deputy Shire President Cr M Lynch disclosed an indirect financial interest in Item 12.3 (detailed in Item 5.2).

Cr T Mladenovic disclosed a direct financial interest in Item 12.3 (detailed in Item 5.2).

Cr A Smith disclosed a direct financial interest in Item 12.3 (detailed in Item 5.2).

Cr L Rumble JP disclosed a direct financial interest in Item 12.3 (detailed in Item 5.2).

Cr A Sullivan disclosed a direct financial interest in Item 12.3 (detailed in Item 5.2).

12.3 Responsible Authority Report (RAR) - Amendment to Development Assessment Panel (DAP) Approval for Transient Workforce Accommodation & Supporting Facilities at Lots 61, 603 and 605 Rocklea Road and Lot 623 McRae Avenue, Paraburdoo

File Reference	ASH.0061; ROC.0603; YOU.0605; MCR.623
Applicant or Proponent(s)	Taylor Burrell Barnett on behalf of Hamersley Iron Pty Ltd (a subsidiary company of Rio Tinto)
Author	J Hunter, Coordinator Planning and Lands
Authorising Officer	K Donohoe, Chief Executive Officer
Previous Meeting Reference	Ordinary Council Meeting 28 September 2021 - Item 14.2
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	<ol style="list-style-type: none"> 1. Location Plan ⇨ 2. Development Plan - RAR ⇨ 3. Responsible Authority Report (RAR) ⇨

Report Purpose

For Council to consider the attached Responsible Authority Report (RAR) and provide its recommendation to the Regional Joint Development Assessment Panel (RJDAP) on the Officer Recommendation contained therein.

The Shire's RAR must be submitted to the RJDAP by 22 August 2023. Council is entitled to provide its own recommendation to the RJDAP independent of the Officer Recommendation contained in the RAR. Council's recommendation will be provided to the RJDAP along with the attached RAR.

The RAR relates to an application submitted on behalf of Hamersley Iron Pty Ltd to amend a previous Development Approval granted by the RJDAP on 14 October 2021 for 262 Transient Workforce Accommodation Units and Supporting Facilities at the Rocklea Palms facility in Paraburdoo.

Background

On 14 October 2021, the RJDAP approved a comprehensive refurbishment and expansion of the Rocklea Palms Transient Workforce Accommodation establishment, located on Lots 61, 603 and 605 Rocklea Road and Lot 623 McRae Avenue, Paraburdoo (DAP/21/02051). A Location Plan is provided in **Attachment 1**.

The approval provided for the development of 262 new rooms, taking the total number of accommodation rooms to 824, along with new and upgraded supporting facilities. The proponent has not yet acted upon that approval.

On 6 July 2023, an application was lodged to amend the RJDAP development approval granted on 14 October 2021. The application was lodged under regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011* (DAP Regulations) meaning that the applicant has nominated the RJDAP to determine the application.

Proposal

The application proposes minor amendments to the approved refurbishment and expansion of the Rocklea Palms Transient Workforce Accommodation establishment. The amendments consist of:

1. Increase in overall height for all seven accommodation blocks on Lots 61, 603 and 605 from 7.155m to 7.368m (an increase of 213mm).
2. Increase in overall height for all five laundry blocks on Lots 61, 603 and 605 from 7.155m to 7.305m (an increase of 150mm).
3. Increase in overall height for the transit facility building on Lot 61 from 7.155m to 7.755m (an increase of 600mm).
4. An additional external door to separate cleaners / linen rooms within the accommodation blocks.
5. A 191m² recreation room instead of an 73m² outdoor covered area on Lots 603 and 605.
6. Minor changes to the external building finishes due to material availability, however no change to the colour and sheeting profiles previously approved.

No other changes are proposed, the remainder of the Development will remain unchanged from the previous JDAP approval (DAP/21/02051).

No changes are proposed to Lot 623 from the approved car parking area.

No changes are proposed to any conditions of approved development.

The proposed Development Plans are provided in **Attachment 2**.

Comments

The Administration's assessment of the application is provided in the RAR (**Attachment 3**).

The proposed amendments to the approved development are minor, do not 'substantially change' the development already approved, and comply with the Shire's local planning framework.

The development application satisfies the requirements of Regulation 17(1)(c) of the DAP Regulations, can be considered as an amendment to an approved development, and is therefore recommended for approval.

Furthermore, the conditions imposed on the original development approval remain appropriate and no changes to the conditions are recommended.

It is recommended that Council endorses the Officer Recommendation to the RJDAP as stated in attached RAR.

Options

Council has the following options in considering the attached RAR –

- a) Council can decline to provide any recommendation to the RJDAP on this matter; or
- b) Council can endorse the Officer Recommendation, with or without changes, and advise the RJDAP accordingly; or
- c) Council can resolve to not endorse the Officer Recommendation and can instead provide its own recommendation to the RJDAP on this matter.

Option b) above (Council endorsement of the Officer Recommendation *without* any changes) is Administration’s preferred option.

Consultation

The application was not required to be advertised for public comment in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (2015 Regulations).

The Shire’s planning consultants, LK Advisory, provided input into this report.

Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	2. Place - We will provide sustainable, purposeful, and valued built and natural environment opportunities for the community.
Strategic Outcome	2.6 Land use opportunities to benefit current and future communities
Strategy	3 Review and implement planning frameworks and strategies to ensure appropriate development outcomes.

Council Policy

Local Planning Policy 13: Transient Workforce Accommodation

Financial Implications

Current Financial Year

Nil.

Future Financial Year(s)

Nil.

Legislative Implications

Planning and Development Act 2005 (PD Act).

Planning and Development (Development Assessment Panels) Regulations 2011 (DAP Regulations).

Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regulations).

Shire of Ashburton Local Planning Scheme No. 7 (LPS 7).

Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Reputation (social/community)	Substantiated, localised impact on community trust or low media item	Unlikely (2)	Minor (2)	Low (1-4)	Adopt the Officer's Recommendation

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be low. Noting that if this application is approved, then the existing development approval will be amended to incorporate the changes summarised earlier in this report. If this application is not approved, then the existing development approval granted on 14 October 2021 will remain valid.

If an RAR is not provided to the RJDAP, regulation 12(7) of the DAP Regulations allows the RJDAP to determine the application in the absence of the Shire's RAR.

Voting Requirements

Simple Majority

Officer Recommendation

That with respect to the Amendment to Development Assessment Panel Approval for Transient Workforce Accommodation & Supporting Facilities at Lots 61, 603 and 605 Rocklea Road and Lot 623 McRae Avenue, Paraburdoo, Council,

1. fully support the Officer Recommendation in the Responsible Authority Report, as provided and detailed in Attachment 3; and
2. approves for this Responsible Authority Report being submitted to the Regional Joint Development Assessment Panel for approval of the Form 2 Application (Amendment to Development Approval) at Lots 61, 603 and 605 Rocklea Road and Lot 623 McRae Avenue, Paraburdoo (DAP/21/02051).

Council Decision **152/2023**

Moved **Cr T Mladenovic**

Seconded **Cr A Smith**

That with respect to the Amendment to Development Assessment Panel Approval for Transient Workforce Accommodation & Supporting Facilities at Lots 61, 603 and 605 Rocklea Road and Lot 623 McRae Avenue, Paraburdoo, Council,

- 1. fully support the Officer Recommendation in the Responsible Authority Report, as provided and detailed in Attachment 3; and**
- 2. approves for this Responsible Authority Report being submitted to the Regional Joint Development Assessment Panel for approval of the Form 2 Application (Amendment to Development Approval) at Lots 61, 603 and 605 Rocklea Road and Lot 623 McRae Avenue, Paraburdoo (DAP/21/02051).**

For: **Crs K White, M Lynch, L Rumble JP, A Smith and T Mladenovic**

Against: **Nil**

Carried 5/0

At 1:28 pm, Cr Alana Sullivan returned to the meeting.

At 1:28 pm, Cr Melanie Gallanagh returned to the meeting.

12.2 Funding Request from Saving Animals from Euthansia Inc (SAFE)

File Reference	LE53
Applicant or Proponent(s)	Not Applicable
Author	P Kuhne, Manager Regulatory Services
Authorising Officer	K Donohoe, Chief Executive Officer
Previous Meeting Reference	Nil
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	Nil

Report Purpose

Council is required to consider a request for funding by Saving Animals from Euthanasia (SAFE) Inc. who rehome animals on behalf of the Shire.

The purpose of this report is to request annual funding for animal management costs incurred by SAFE in rehoming impounded animals.

Council is requested to consider an annual financial contribution to SAFE Karratha who accept impounded animals from the Shire that are suitable for rehoming.

Background

Ranger Services manage animals within the Shire that are impounded or surrendered. Dogs and cats make up most of the animals dealt with, across three animal care centres managed by the Shire.

The dogs and cats are assessed, observing their health, temperament, and suitability for rehoming. Those that pass the assessment are transported to SAFE Karratha, with the remaining animals euthanised. This has been an ongoing initiative for at least the past seven years.

On average, twenty (20) animals are rehomed each year. In the 2022-2023 period approximately thirty-six (36) dogs have been rehomed. No cats have been rehomed in this period due to the excessive number being impounded or surrendered. Ranger Services currently assist the rehoming initiative by transporting assessed animals from the respective Shire towns to SAFE in Karratha.

The Shire euthanised twenty-five (25) dogs, one hundred and twenty-six (126) cats and thirty-nine (39) other livestock-wild animals in the 2022-2023 period

The increase in numbers is attributable to increased 'cost of living' pressure, property rental issues and the transient nature of the community within the Pilbara.

SAFE in Karratha has advised it costs the following to rehome a dog or cat:

- Desexing: Dogs: \$250 - \$600 depending on gender and weight, Cats: Male -\$180, Female - \$250
- Microchipping: \$60 per animal
- Vaccination: \$60 per animal

On average one dog may cost between \$370 to \$720 to have ready for rehoming. These costs are incurred by SAFE to promote uptake by the community and to ensure effective animal management is facilitated for the benefit of all animal owners and the community.

SAFE is requesting annual monetary support from the Shire towards their rehoming program, as the Shire is currently using its service, as it does not currently have a rehoming program of its own.

Karratha City Council provides funding support to SAFE through Council and State grant funding to support one full time SAFE employee. Other Councils in the Pilbara who use the service are considering SAFE requests for funding.

Comments

The Shire does not currently undertake its own rehoming program due to the time and expertise required to manage a program. The cost to the Shire of managing one animal from seizure to euthanasia is conservatively estimated to be \$700. For an average of twenty (20) animals per year the cost is approximately \$14,000. This is composed of staff wages, pound fees, sustenance, euthanasia, and animal disposal costs.

The request from SAFE was assessed using Council's Community Donations and Grant Funding Policy. However, was not considered suitable for the following reasons:

1. Small Assistance Donations require annual applications and are competitive, the amount available is limited for the service provided.
2. Community Support Grants require annual applications and are competitive, the amount available is limited for the service provided.
3. Signature Events & Activities does not apply to this scenario.
4. Council Initiated Donations has a limited amount for the service provided.

Notwithstanding the lack of suitability regarding the Shire's Donation Policy, Administration recommends support of funding to SAFE Karratha and its rehoming program, as it is considered a benefit to the Shire due to an enhanced community reputation for being progressive in having an alternative to euthanising impounded or surrendered animals.

Utilising SAFE demonstrates Council has a humane approach in animal management where the animals are assessed as suitable for rehoming impounded or surrendered animals.

Consultation

SAFE Karratha

Community Development (Donations Policy advice)

Ranger Services

Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	3. Prosperity - We will advocate and drive opportunities for the community to be economically desirable, resilient, and prosperous.
Strategic Outcome	3.3 Clean, safe, and accessible communities
Strategy	3 Lead, and partner with, other agencies on community safety and programs for community wellbeing.

Council Policy

Community Donations and Grant Funding Policy: Provides guidance on Council decision making in relation to donations and funding requests as follows:

1. Small Assistance Donations (SAD) – annual donation up to \$500 per successful application.
2. Community Support Grants (CSG) – annual donation up to \$2,500 per successful application.
3. Signature Events and Activities (SE) – determined by Council upon successful application.
4. Council Initiated Donations - determined by Council upon successful application up to \$1,000.

The funding request by SAFE is for annual funding of \$5,000 per year.

Their request is not suitable for consideration under the existing Council Policy and is therefore considered a separate initiative.

Financial Implications

Current Financial Year

By using SAFE Karratha, the financial saving to Council of rehoming animals is estimated at \$5,000 per annum based on the thirty-six (36) dogs rehomed in 2022 -2023.

The funding request is not budgeted for in the 2023-2024 budget. Funding can be used from EM24035 - Council Elected Member Donations which has a budget of \$20,000 for the 2023-2024 financial year. The subsequent two years of funding will be applied for under the Regulatory Services budget submissions for Council consideration.

Future Financial Year(s)

Funding is sought for a period of three (3) years starting 2023-2024 and ending after the 2025-2026 financial year with a review to assess service delivery and requirement before considering a request for further funding.

Legislative Implications

Nil

Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Reputation (social/community)	Shire not seen to be supporting animal rehoming initiatives and does not have a rehoming program of its own	Possible (3)	Insignificant (1)	Low (1-4)	Provide a donation to SAFE Karratha

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is low.

Voting Requirements

Simple Majority

Officer Recommendation

That with respect to the annual funding request from SAFE Karratha, Council, approves funding of \$5,000 per annum for a period of 3 years, commencing this financial year and expiring on 30 June 2026, by way of an annual donation from:

1. general ledger EM24035 in the 2023-2024 financial year; and
 2. in the two following financial years, with funds sourced from the Regulatory Services budget,
- to support the rehoming of impounded animals from the Shire.

Council Decision **153/2023**

Moved **Cr A Smith**

Seconded **Cr M Lynch**

That with respect to the annual funding request from SAFE Karratha, Council, approves funding of \$5,000 per annum for a period of 3 years, commencing this financial year and expiring on 30 June 2026, by way of an annual donation from:

- 1. general ledger EM24035 in the 2023-2024 financial year; and**
- 2. in the two following financial years, with funds sourced from the Regulatory Services budget,**

to support the rehoming of impounded animals from the Shire.

For: **Crs K White, M Lynch, M Gallanagh, L Rumble JP, A Sullivan, A Smith and T Mladenovic**

Against: **Nil**

Carried 7/0

13 Corporate Services Reports

13.1 Monthly Schedule of Accounts Paid - June 2023

File Reference	FM03
Applicant or Proponent(s)	Not Applicable
Author	T Dayman, Manager Finance
Authorising Officer	D Kennedy, Director Corporate Services
Previous Meeting Reference	Nil
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	1. Schedule of Accounts Paid - June 2023

Report Purpose

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 June 2023,
- Trust Fund Payments for June 2023, and
- Corporate Credit Card Reconciliations for May 2023.

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.

Comments

Shire officers have prepared the Monthly Schedule of Accounts Paid, in accordance with legislative requirements, and this is attached.

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

Description	Amount \$
<u>Municipal Fund</u>	
Electronic Funds Transfers	5,780,554.39
Superannuation / Payroll (Direct Debits)	200,084.83
Cheques	1,000.75
Credit Cards	5,556.70
Bank Fees and Charges	2,341.95
<u>Municipal Fund Total</u>	5,989,538.62
<u>Trust Fund</u>	
Electronic Funds Transfers	251,842.50
<u>Trust Fund Total</u>	251,842.50
Total Payments	\$6,226,193.70

Consultation

Executive Leadership Team

Finance Team

Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

- Strategic Objective 4. Performance - We will lead the organisation, and create the culture, to deliver demonstrated performance excellence to the community.
- Strategic Outcome 4.2 Appropriate, sustainable, and transparent management of community funds
- Strategy 4 Ensure financial transactions are accurate and timely.

Council Policy

Nil

Financial Implications

Current Financial Year

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

Future Financial Year(s)

Nil

Legislative Implications

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.

Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Compliance	Council does not accept the officer recommendation.	Unlikely (2)	Minor (2)	Low (1-4)	Provide Council with adequate information to make an informed decision.

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be low.

Voting Requirements

Simple Majority

Officer Recommendation

That with respect to 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 June 2023, as included at Attachment 1.

Council Decision **154/2023**

Moved **Cr T Mladenovic**

Seconded **Cr L Rumble JP**

That with respect to 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 June 2023, as included at Attachment 1.

For: **Crs K White, M Lynch, M Gallanagh, L Rumble JP, A Sullivan, A Smith and T Mladenovic**

Against: **Nil**

Carried 7/0

13.2 Monthly Financial Statements - June 2023

File Reference	FM03
Applicant or Proponent(s)	Not Applicable
Author	T Dayman, Manager Finance
Authorising Officer	D Kennedy, Director Corporate Services
Previous Meeting Reference	Nil
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	1. Monthly Financial Report June 2023 ↗

Report Purpose

Council is required to produce 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 30 June 2023.

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.

Comments

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

There are no further 2022/2023 Budget amendments recommended.

Consultation

Executive Leadership Team

Middle Management Group

Finance Team

Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	4. Performance - We will lead the organisation, and create the culture, to deliver demonstrated performance excellence to the community.
Strategic Outcome	4.2 Appropriate, sustainable, and transparent management of community funds
Strategy	4 Ensure financial transactions are accurate and timely.

Council Policy

Nil

Financial Implications

Current Financial Year

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

Future Financial Year(s)

Nil

Legislative Implications

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.

Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Compliance	Material misstatement or significant error in the financial statements.	Unlikely (2)	Moderate (3)	Moderate (5-9)	Review of financial position information to be undertaken regularly and by multiple Shire officers.
Compliance	Council does not accept the officer recommendation.	Unlikely (2)	Minor (2)	Low (1-4)	Provide Council with sufficient information for decision making.

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be low.

Voting Requirements

Simple Majority

Officer Recommendation

That with respect to 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 June 2023, as included at Attachment 1.

Council Decision **155/2023**

Moved **Cr A Smith**

Seconded **Cr A Sullivan**

That with respect to 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 June 2023, as included at Attachment 1.

For: **Crs K White, M Lynch, M Gallanagh, L Rumble JP, A Sullivan, A Smith and T Mladenovic**

Against: **Nil**

Carried 7/0

13.3 Shire of Ashburton Corporate Business Plan 2023-2027

File Reference	CM05
Applicant or Proponent(s)	Not Applicable
Author	J Bray, Manager Governance
Authorising Officer	D Kennedy, Director Corporate Services
Previous Meeting Reference	Ordinary Council Meeting 18 June 2019 - Item 11.5 - (583/2019)
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	1. Draft Corporate Business Plan 2023-2027 ⇒

Report Purpose

In accordance with section 5.56 of the *Local Government Act 1995* (the Act) and regulation 19DA of the *Local Government (Administration) Regulations 1996* (the Regulations), a local government is required to plan for the future of the district.

The purpose of this report is to present the Corporate Business Plan 2023-2027 for Council's consideration which will replace the Corporate Business Plan 2019-2023.

Council is requested to adopt the Corporate Business Plan 2023-2027 as detailed in Attachment 1.

Background

Section 5.56 of the Act requires a local government to plan for the future of the district. Planning for the future of the district includes the development of a Corporate Business Plan. The Corporate Business Plan is a four-year plan and is aligned to the Strategic Community Plan which translates the community's priorities into deliverable actions.

At its meeting held 18 June 2019, Council adopted the Corporate Business Plan 2019-2023 which aligned to the Strategic Community Plan 2017-2027.

Comments

At its meeting held 8 February 2022, Council adopted the Strategic Community Plan 2022-2032 (SCP) following consultation with the community.

The strategic objectives set out in the SCP have been developed under the four key aspirational themes of community interest, being:

1. People – We will support opportunities for the community to be safe, socially active, and connected.
2. Place – We will provide sustainable, purposeful, and valued built and natural environment opportunities for the community.
3. Prosperity – We will advocate and drive opportunities for the community to be economically desirable, resilient and prosperous.
4. Performance – We will lead the organisation, and create the culture, to deliver demonstrated performance excellence to the community.

Achieving the community’s vision and the Shire’s strategic objectives requires the development of actions to address each strategy contained within the SCP. Careful operational planning and prioritisation is required to achieve the objectives and desired outcomes due to the limited resources available. This planning process is formalised by the development of our Corporate Business Plan.

The Governance Team held workshops with all departments during April and May 2023 to develop the proposed actions detailed in the draft Corporate Business Plan 2023-2027.

These actions have been reviewed to ensure they are achievable within the Shire’s resource constraints and align to the new SCP. Actions have been allocated to the financial year they are estimated to be achieved however, some actions are considered to be ongoing and therefore have been allocated across all four years of the Plan.

The Corporate Business Plan is underpinned by informing strategies and plans which include the:

- Long-Term Financial Plan,
- Strategic Asset Management Plan,
- Workforce Plan,
- Annual Budget, and
- Issue specific strategies and plans such as the Community Access and Inclusion Plan, Youth Strategy etc.

It is proposed to submit quarterly progress reports on the new Corporate Business Plan 2023-2027, to Council to ensure accountability and maintain transparency.

In accordance with statutory requirements, the Corporate Business Plan is to be reviewed and updated annually to assess the progress of projects and realign the Plan’s actions and priorities based on current information and available funding. It is envisaged that, in future years, the review of the Plan will be conducted and submitted to Council for consideration alongside the Annual Budget.

Consultation

All departments were involved in the development of the Corporate Business Plan 2023-2027.

Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	4. Performance - We will lead the organisation, and create the culture, to deliver demonstrated performance excellence to the community.
Strategic Outcome	4.6 Visionary community leadership with sound, diligent and accountable governance
Strategy	2 Provide, and lead in the development of, meaningful policies and processes to ensure sound and compliant delivery of services to the community.

Council Policy

Nil

Financial Implications

Current Financial Year

The actions listed for completion in the 2023/2024 financial year have been included in the recently adopted 2023/2024 Annual Budget.

Sufficient funds for the design of the Corporate Business Plan 2023-2027 were included in the 2023/2024 Annual Budget.

Future Financial Year(s)

The actions listed in the Corporate Business Plan 2023-2027 will inform future budgets.

Legislative Implications

Section 5.56 of the *Local Government Act 1995* requires the local government to plan for the future of the district.

Regulation 19DA of the *Local Government (Administration) Regulations 1996*, sets out requirements for a corporate business plan and the annual review of this plan.

Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Compliance	The Shire doesn't have a Corporate Business Plan for the next four years and fails to meet its legislative requirements.	Unlikely (2)	Minor (2)	Low (1-4)	Endorse and implement the Corporate Business 2023-2027.

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be low.

Voting Requirements

Absolute Majority

Officer Recommendation

That with respect to Shire of Ashburton Corporate Business Plan 2023-2027, Council,

1. Adopts the Corporate Business Plan 2023-2027 as detailed in Attachment 1.
2. Notes progress reporting on the implementation of the Corporate Business Plan 2023-2027 will be presented to Council on a quarterly basis.

Council Decision **156/2023**

Moved **Cr T Mladenovic**

Seconded **Cr A Sullivan**

That with respect to Shire of Ashburton Corporate Business Plan 2023-2027, Council,

- 1. Adopts the Corporate Business Plan 2023-2027 as detailed in Attachment 1.**
- 2. Notes progress reporting on the implementation of the Corporate Business Plan 2023-2027 will be presented to Council on a quarterly basis.**

For: **Crs K White, M Lynch, M Gallanagh, L Rumble JP, A Smith and T Mladenovic**

Against: **Cr A Sullivan**

Carried By Absolute Majority 6/1

13.4 Shire of Ashburton Committees and Working Groups Booklet

File Reference	GV04
Applicant or Proponent(s)	Not Applicable
Author	J Bray, Manager Governance
Authorising Officer	D Kennedy, Director Corporate Services
Previous Meeting Reference	Ordinary Council Meeting 19 October 2021 - Item 11.1 – 161/2021
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	1. 2023 Committees and Working Groups Booklet ⇒

Report Purpose

Council is required to consider the review of the Shire of Ashburton (the Shire) committees and working groups.

The purpose of this report is to present the results of the comprehensive review undertaken in regards to the Shire's current committees and working groups.

Council is requested to endorse the proposed changes to committees and working groups.

Background

Following the 2021 Local Government Ordinary Elections, Council reviewed and appointed elected members to its committees, working groups and external groups. Elected member representation was provided to the following:

Committees of Council

- Ashburton Economic and Tourism Development Committee
- Audit and Risk Management Committee
- Chief Executive Officer's Performance Review Occasional Committee
- Indigenous Relations Committee.

Working Groups

- Inland Local Emergency Management Committee
- Onslow Local Emergency Management Committee
- Pannawonica Local Emergency Management Committee
- Bush Fire Advisory Committee
- Partnership Governing Committee (Rio Tinto)
- Working Together Onslow (Chevron)
- Onslow Senior Citizens Units Working Groups.

External Groups

- 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.

In addition, in June 2022, Council resolved to introduce an Alliance Board for the Pilbara Regional Waste Management Facility and in December 2022, appointed an external member to the Alliance Board.

Comments

In preparation for the 2023 Local Government Ordinary Elections, a comprehensive review of the current committees, working groups, and external groups the Council is a party to, has been undertaken. The following tables detail the proposed changes.

Committees of Council

The following committees are established under the *Local Government Act 1995*.

Committee	Proposed Change/s	Justification
Audit and Risk Management Committee	<ul style="list-style-type: none"> • Reduction of members from nine to five. • All other members to be deputies. 	A reduction in the number of members is proposed to align to best practice.
Chief Executive Officer's Performance Review Occasional Committee	<ul style="list-style-type: none"> • New Terms of Reference developed. • Name changed to Chief Executive Officer's Recruitment and Performance Review Committee. • Reduction of members from nine to five. • All other members to be deputies. 	There is currently no adopted Terms of Reference for this committee. Formalising the Terms of Reference provides clarity on the committee's purpose and role. A reduction in the number of members is proposed to align to best practice.
Community Grants Committee	<ul style="list-style-type: none"> • Establishment of a new Community Grants Committee. • Terms of Reference developed. 	Provision of a committee for the consideration of community grant applications received from the two funding rounds each year. Proposed to consist of four members, one from each town, with all other elected members being appointed as deputies.
Ashburton Economic and Tourism Development Committee	Name changed to Economic and Tourism Development Committee.	The terms of reference for the committee were endorsed by the current committee members at its meeting on 11 July 2023. Minor change to the name of the committee only.

Indigenous Relations Committee	Disband the Indigenous Relations Committee.	It is proposed to disband this committee as the Shire does not currently have a Reconciliation Action Plan in place and the committee has not met since the appointment of members following the 2021 Local Government Ordinary Elections.
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Working Groups

Although some of these groups are called a Committee they are not established under the *Local Government Act 1995*, therefore do not have the same requirements as those that are a Committee of Council.

Committee/Working Group	Proposed Change/s	Justification
Inland Local Emergency Management Committee	Reduction of deputies from seven to two.	The Shire has three Local Emergency Management Committees which are area specific. Due to the location of the meetings held, it is not practical for all remaining elected members to be deputies of this Committee therefore, it is proposed to reduce the number of deputies to two.
Onslow Local Emergency Management Committee	Reduction of deputies from seven to two.	See comment above.
Pannawonica Local Emergency Management Committee	Reduction of deputies from seven to two.	See comment above.
Bush Fire Advisory Committee	The Shire no longer provide representation on this Committee.	This committee is no longer required due to the Memorandum of Understanding the Shire has with the Department of Fire and Emergency Services (DFES) on the management of the bushfire brigade and operational response to bushfires within the Shire. It has been superseded by a DFES facilitated District Operations Advisory Committee made up of volunteer bush fire brigade Captains and operational staff from Pilbara Councils and other agencies such as Water Corporation and Department of Biodiversity, Conservation and Attractions.
Partnership Governing Committee (Rio Tinto)	The Shire no longer provide representation on this Committee.	This committee is now defunct as the Community Infrastructure and Services Partnership agreement with Rio Tinto ceased in 2022.
Working Together Onslow Steering Committee (Chevron)	<ul style="list-style-type: none"> Brief terms of reference documented which align to 	The committee currently operates without a formal terms of reference. The proposed terms are taken from clauses within the Agreement with standard

	<p>the Working Together Onslow Agreement.</p> <ul style="list-style-type: none"> Membership changed to Shire President and Onslow Ward Councillor. 	<p>meeting procedures included such as quorum and voting. It is proposed to amend the membership to have the Shire President and Onslow Ward Councillor appointed on this committee.</p>
Onslow Senior Citizens Units Working Group	<ul style="list-style-type: none"> New terms of reference developed which will cover both the Senior Citizens and Carinya Units. Elected member representative to be the Onslow Ward Councillor. Inclusion of a Department of Communities (Housing) representative. Increase of the number of community representatives from one to two. 	<p>This working group is established in accordance with the Shire and the State Housing Commission (Homeswest) agreement. The group currently operates without a formal terms of reference. Recent communication with Department of Communities, has identified that a representative from their Housing Branch should be a member of the group. It is proposed to increase the number of community members to two, with the requirement for these members to be current tenants of the units.</p>
Pilbara Regional Waste Management Facility Alliance Board	<p>Standard meeting procedures have been included.</p>	<p>At its meeting held 20 June 2023, the Alliance Board adopted the purpose and duties of the Board using the prepared wording from the draft agreement. To ensure that standard meeting procedures are covered, an extended terms of reference has been prepared with further clauses from the draft agreement to ensure good governance of the Board.</p>
Tom Price Sporting Working Group	<ul style="list-style-type: none"> New working group proposed. Terms of reference developed. 	<p>This working group is proposed to provide a forum for discussion of matters relating to sport and recreation within the town of Tom Price, including the identification of issues and opportunities and ensuring equitable access to sport and recreation opportunities for all members of the community.</p>

External Groups

The following groups are established and run by other organisations. The Council provides representation on these groups.

Committee	Proposed Change/s	Justification
Regional Road Group	No change.	Not applicable.
Pilbara District Emergency Management Committee	The Shire no longer provide elected member representation on this Committee.	This is managed externally by State Emergency Management Committee. It is not mandatory to have elected member representation on the District Emergency Management Committee. Local government members of this Committee should be senior/executive management who are able

		to make decisions on behalf of the local government.
Western Australian Local Government Association Pilbara Country Zone	No change.	Not applicable.
Development Assessment Panel	No change.	Not applicable.
Ashburton Land Conversation District Committee	The Shire no longer provide representation on this Committee.	The Department of Primary Industries and Regional Development has confirmed this committee is inactive and there are no plans for the committee to be reactivated.
Roebourne/Port Hedland Land Conservation District Committee	The Shire no longer provide representation on this Committee.	The Department of Primary Industries and Regional Development has confirmed this committee is inactive and there are no plans for the committee to be reactivated.

To provide ease of reference for elected members, a Committees and Working Groups Booklet has been developed (refer to Attachment 1). The booklet details each of the Shire’s committees, working groups and external groups which require elected member representation, including relevant information and/or terms of reference for each. Any proposed amendments to current committees/groups have been marked in the booklet.

The proposed changes are to be effective following the 2023 Local Government Ordinary Elections. This booklet will be issued to elected members following the 2023 Local Government Ordinary Elections to allow elected members to consider the committees/groups they would like to nominate representation for.

Consultation

Governance held meetings with Shire officer’s responsible for each committee and working group to discuss the terms of reference and future requirements. The Chief Executive Officer has been consulted on the proposed changes.

Governance contacted all external groups to obtain the relevant information. In response, the Department of Primary Industries and Regional Development advised the Land Conservation District Committees are no longer active and there are no plans to reactivate these in the future.

Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

- Strategic Objective 4. Performance - We will lead the organisation, and create the culture, to deliver demonstrated performance excellence to the community.
- Strategic Outcome 4.6 Visionary community leadership with sound, diligent and accountable governance
- Strategy 1 Regulate and provide support to ensure Councillors and Shire officers deliver integrity and transparency in their behaviour, decision-making, and in compliance with codes of conduct.

Council Policy

Nil

Financial Implications

Current Financial Year

Nil

Future Financial Year(s)

Nil

Legislative Implications

Section 5.8 of the *Local Government Act 1995* provides the power to the Council to establish committees of three or more persons to assist with, and to exercise the powers and discharge the duties of the Shire.

Section 5.11 of the *Local Government Act 1995* prescribes that committee membership and tenure of appointments to committees continue until next ordinary election day.

Section 7.1A of the *Local Government Act 1995*, a local government is to establish an audit committee of three or more persons.

Section 38 of the *Emergency Management Act 2005*, a local government is to establish one or more local emergency management committees for the district.

Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Reputation (social/community)	Council appoint elected members to committees, working groups and external groups that are no longer operational.	Unlikely (2)	Minor (2)	Low (1-4)	Council endorse the proposed changes to committees and working groups.

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be low.

Voting Requirements

Absolute Majority

Officer Recommendation

That with respect to Shire of Ashburton Committees and Working Groups Booklet, Council,

1. Establishes the following:
 - (a) Community Grants Committee; and
 - (b) Tom Price Sporting Working Group.
2. Disbands the Indigenous Relations Committee.
3. Endorses the terms of reference for each committee and working group as amended and detailed in Attachment 1, to be effective following the 2023 Local Government Ordinary Elections.
4. Requests the Chief Executive Officer to advertise for nominations for Tom Price Sporting Working Group and present the nominations to Council following the 2023 Local Government Ordinary Elections.
5. Notes the Shire will no longer provide elected member representation on the following Committees for the reasons set out in this report:
 - (a) Bush Fire Advisory Committee
 - (b) Pilbara District Emergency Management Committee
 - (c) Partnership Governing Committee
 - (d) Ashburton Land Conversation District Committee
 - (e) Roebourne / Port Hedland Land Conservation District Committee.

Council Decision **157/2023**

Moved **Cr T Mladenovic**

Seconded **Cr A Smith**

That with respect to Shire of Ashburton Committees and Working Groups Booklet, Council,

- 1. Establishes the following:**
 - (a) Community Grants Committee; and**
 - (b) Tom Price Sporting Working Group.**
- 2. Disbands the Indigenous Relations Committee.**
- 3. Endorses the terms of reference for each committee and working group as amended and detailed in Attachment 1, to be effective following the 2023 Local Government Ordinary Elections.**
- 4. Requests the Chief Executive Officer to advertise for nominations for Tom Price Sporting Working Group and present the nominations to Council following the 2023 Local Government Ordinary Elections.**
- 5. Notes the Shire will no longer provide elected member representation on the following Committees for the reasons set out in this report:**
 - (a) Bush Fire Advisory Committee**
 - (b) Pilbara District Emergency Management Committee**
 - (c) Partnership Governing Committee**
 - (d) Ashburton Land Conversation District Committee**
 - (e) Roebourne / Port Hedland Land Conservation District Committee.**

For: **Crs K White, M Lynch, M Gallanagh, L Rumble JP, A Sullivan, A Smith and T Mladenovic**

Against: **Nil**

Carried By Absolute Majority 7/0

13.5 Memorial Applications

File Reference	PH17
Applicant or Proponent(s)	Not Applicable
Author	J Bray, Manager Governance
Authorising Officer	D Kennedy, Director Corporate Services
Previous Meeting Reference	Nil
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	1. Draft amended Council Policy - Memorials on Shire Land

Report Purpose

Council is required to consider two applications received for memorial installations in the Shire’s dedicated memorial gardens.

The purpose of this report is to present the applications received and to consider amendments to Council Policy – Memorials on Shire Land.

Council is requested to approve the applications for installation of new memorials and amendments to Council Policy – Memorials on Shire Land as detailed in Attachment 1.

Background

Council Policy – Memorials on Shire Land provides guidelines on what memorials may be placed in public places and the process that needs to be followed to gain consent for the placement of a memorial.

Comments

The Shire received two applications for memorial installations on 4 July 2023. The details of these applications are provided for Council’s consideration, as follows.

Following consideration of the applications, the applicants will be notified of Council’s decision.

Application 1

Applicant	Doug Diver
Memorial recipient	Michael Charles Umfreville
Memorial location	Doug Talbot Park, Tom Price
Memorial significance	<ul style="list-style-type: none"> • A Tom Price resident of 15+ years, a local businessman and volunteer firefighter. • Originally worked for Hamersley Pastoral before coming into Tom Price to work for Shell Aust on the Rio Tinto Mine Site. • Joined Rio Tinto as a worker but ran two small businesses on days off – Tom Price Mowing first then Tom Price Skip Bins.

	<ul style="list-style-type: none"> • Donated his time, money and resources to anyone who asked. • His passing left a huge hole in the town, but his memory will live on.
New or restoration of an existing memorial	Installation of a new memorial
Memorial type	Rock with plaque
Plaque construction	Bronze plate
Plaque size	150mm x 150mm
Plaque wording	<p>In memory of Michael Charles Umfreville 4/06/1969 – 10/08/2022 (Kiwi – Skinny Mick) You had a heart bigger than Phar Lap. You will be forever missed by all your friends.</p>

The application has been considered by Shire officers and the Chief Executive Officer and is deemed compliant with the requirements of Council Policy – Memorials on Shire Land.

Application 2

Applicant	Margaret Shaw
Memorial recipient	Ken, John and James Hagan
Memorial location	Paraburdoo Memorial Park
Memorial significance	<ul style="list-style-type: none"> • Ken Hagan was the father of John and James Hagan. All three men have now passed away. • The Hagan family worked for Hamersley Iron since the 1960s. • The Hagan family lived and worked in Paraburdoo and Tom Price until the 1990s. • The Hagan family lived mainly in Paraburdoo where they grew to 26 members by the 1970s. • Ken Hagan was supervisor at Hamersley Iron Town Services in Paraburdoo, then later in Tom Price. • John and James Hagan completed their apprenticeships with Hamersley Iron.
New or restoration of an existing memorial	Installation of a new memorial
Memorial type	Rock with plaque
Plaque construction	Stainless steel with plastic backing
Plaque size	200mm x 130mm
Plaque wording	<p>In Loving Memory Of HAGAN KEN HAGAN 21-6-1939 – 1-12-2012 JOHN HAGAN</p>

	<p>26-4-1964 – 4-7-2014</p> <p>JAMES HAGAN</p> <p>23-4-1965 – 21-11-2019</p> <p>Forever in our hearts</p>
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The application has been considered by Shire officers and the Chief Executive Officer. The plaque size is slightly larger than the policy specifications however, has already been purchased and professionally engraved. The Shire does not object to the installation of this plaque. All other specifications are deemed compliant with the requirements of Council Policy – Memorials on Shire Land.

Council Policy – Memorials on Shire Land

The current policy requires Council approval of memorial applications to be installed in the Shire’s memorial gardens.

To reduce the turnaround time of approving applications and their installation, it is proposed to authorise the Chief Executive Officer, through the policy, to approve future applications for the installation of memorials in the Shire’s dedicated memorial gardens being Paraburdoo Memorial Garden and Doug Talbot Park. Any applications received which do not meet the policy criteria, will be submitted to Council for their consideration.

All other conditions in the policy remain unchanged however, the policy has been restructured and simplified to provide clarity and ease of reference. All amendments are tracked in Attachment 1.

Consultation

The Shire has been in contact with the applicants to assist with the application and approval process.

The Chief Executive Officer has considered the applications and is supportive of the memorial installations.

Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	4. Performance - We will lead the organisation, and create the culture, to deliver demonstrated performance excellence to the community.
Strategic Outcome	4.6 Visionary community leadership with sound, diligent and accountable governance
Strategy	2 Provide, and lead in the development of, meaningful policies and processes to ensure sound and compliant delivery of services to the community.

Council Policy

Council Policy – Memorials on Shire Land provides guidelines on what memorials may be placed in public places and the process that needs to be followed to gain consent for the placement of a memorial.

Financial Implications

Current Financial Year

Costs associated with purchasing the plaque, rock, engraving the chosen message and ongoing maintenance are the responsibility of the applicant.

Fees and Charges for the installation of rocks with plaques are as scheduled under Labour Costs, Private Works in the Annual Budget.

Future Financial Year(s)

Nil

Legislative Implications

Nil

Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Reputation (social/community)	Memorial applications are not approved.	Rare (1)	Moderate (3)	Low (1-4)	Council approve the applications.
Interruption to service	Proposed policy amendment is not approved.	Unlikely (2)	Moderate (3)	Moderate (5-9)	Council approve the policy amendment.

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be low.

Voting Requirements

Simple Majority

Officer Recommendation

That with respect to Memorial Applications, Council,

1. Approves the following memorial requests:
 - (a) Michael Charles Umfreville, to be installed in the Tom Price Memorial Garden; and
 - (b) Ken, John and James Hagan, to be installed in the Paraburdoo Memorial Garden.
2. Adopts the amended Council Policy – Memorials on Shire Land as detailed in Attachment 1.

Council Decision **158/2023**

Moved **Cr M Lynch**

Seconded **Cr T Mladenovic**

That with respect to Memorial Applications, Council,

1. Approves the following memorial requests:

- (a) Michael Charles Umfreville, to be installed in the Tom Price Memorial Garden; and**
- (b) Ken, John and James Hagan, to be installed in the Paraburdoo Memorial Garden.**

2. Adopts the amended Council Policy – Memorials on Shire Land as detailed in Attachment 1.

For: **Crs K White, M Lynch, M Gallanagh, L Rumble JP, A Sullivan, A Smith and T Mladenovic**

Against: **Nil**

Carried 7/0

14 Infrastructure Services Reports

Nil

15 Community Development Reports

Cr A Smith disclosed an impartiality interest in Item 15.1 (detailed in Item 5.2).

15.1 Petition to Shire of Ashburton Pool Heating

File Reference	RC52223
Applicant or Proponent(s)	Not Applicable
Author	C McGurk, Director Community Development
Authorising Officer	K Donohoe, Chief Executive Officer
Previous Meeting Reference	Ordinary Council Meeting 15 March 2016 - Item 12.1 – 12060 Ordinary Council Meeting 15 March 2016 - Item 17.4 – RC52223 Ordinary Council Meeting 26 April 2016 - Item 12.3 – 12079
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	<ol style="list-style-type: none"> 1. Pool Heating Petition ⇨ 2. Pool Heating Report (Petition to Shire of Ashburton) ⇨ 3. 2022 Presentation ⇨ 4. Vic Hayton Heating Quote ⇨ 5. Paraburdoo Heating Quote ⇨ 6. Onslow Heating Quote ⇨

Report Purpose

In accordance with the *Shire of Ashburton Standing Orders Local Law 2012*, Council is required to deliberate and report on matters contained within petitions.

The purpose of this report is to consider a petition that was received at the Ordinary Council Meeting (OCM) held on 11 July 2023, for Pool Heating at aquatic facilities in Tom Price and Paraburdoo.

Council is requested to consider the response to the petition and accept the path forward in relation to the points raised in the petition.

Background

At Council meeting held on 11 July 2023, a petition was submitted on behalf of the Tom Price Amateur Swimming Club (TPASC) and this petition was received by Council.

The petition as provided at **Attachment 1** was submitted with a total of 471 signatures. The Governance team reviewed the signatories in accordance with relevant criteria and confirmed 210 valid signatures.

The petition was also presented with a report containing letters of support from Swimming WA, Northern Swimming Association and Tom Price Physiotherapy. These can be referenced at **Attachment 2**.

The petition itself requested the Shire of Ashburton to consider heating the mentioned pools to provide greater opportunities for their athletes, allowing them to maximise their time in the water from the day the pool gates open at the commencement of the pool season to the day they close, at the conclusion of the pool season.

At the Council meeting held on 15 March 2016 in Onslow a request for solar heating at the Vic Hayton Memorial Swimming Pool in Tom Price was lodged by the Tom Price Amateur Swimming Club (TPASC). The TPASC proposal was for the club to raise the funds for the solar heating and then install. The Shire of Ashburton would then take the operations of the new system.

Council subsequently resolved as follows:

“That Council advise the Tom Price Amateur Swimming Club:

- 1 that whilst Council recognises that the proposal has benefits for the community, that Council cannot commit to the proposal from the Tom Price Amateur Swimming Club at this time due to the high level of financial risk associated with it; and*
- 2. that the proposal will be revisited in 2017/18 upon completion of the several major infrastructure projects currently under construction and life costs of those projects can be more accurately defined”.* This recommendation was lost 3/6.

At the same March meeting in 2016 a Notice of Motion was put forward (Item 17.4), requesting to extend the Tom Price Swimming Pools hours, which read as:

“Report to Council outlining the full costs of extending the Tom Price Swimming Pool hours for the benefit of the Tom Price Community including the Tom Price Amateur Swimming Club. Options including heating of the pool (funded by the Swim Club) opening pool longer (Swim Club to be consulted for appropriate dates/times) or the Swim Club operate the pool during the cooler months, with proper insurance and training, to reduce costs to the Shire. Greater consultation with the Swim Club and community (including other user groups of the pool) is requested”.

It was noted that this matter would be referred to officers for a report, which will be put before Council at the earliest reasonable opportunity. On 26 April 2016 a subsequent report was presented to Council in response to the prior Notice of Motion and the following recommendation was adopted:

“That Council seek to partner, on equal financial terms, with the Tom Price Amateur Swimming Club in commissioning the production of a detailed report, at a cost of \$17,500 each, addressing all the capital and ongoing operational costs that would be associated with the purchase and installation of a solar powered pool heating system and extending the swimming season at the Vic Hayton Memorial Swimming Pool.

The Shire’s portion of the costs to be accessed from the Office of the CEO Consultant/Project Costs Budget – GL 040056”.

This resolution was carried 8/0

Unfortunately, the TPASC was not in position to carry out a further report due the costs implications and no further action was taken.

In 2022 Council requested a briefing (**Refer to Attachment 3**) on what options were available to heat the three Shire owned and operated pools. This followed Rio Tinto commissioning the heating of Pannawonica Town pool.

Comments

In considering the request raised in the petition, it needs to be noted TPASC have not requested extended hours of operations, the request is for heating the pools in Tom Price and Paraburdoo.

Shire Officers can also confirm receiving many requests over the past 10 years from the community to heat the Shire's pools from formal written requests via the Shire's Customer Action Requests Form or informally through pool operational staff.

It would be prudent for Council to consider the initial costs to supply and install heating systems across all of the Shire's public swimming pools and the associated operational costs, rather than at select pools.

In 2022 indicative quotes were obtained by Shire officers detailing the capital expenditure for heating the public swimming pools detailed, refer to **Attachments 4, 5 and 6**. The overall capital estimates are summarised, as follows:

Tom Price – \$196,500

Paraburdoo – \$154,500

Onslow – \$86,370

Estimated total capital outlay – \$473,370.

Ongoing additional operational costs have been estimated between \$30,000-\$40,000 per annum, per swimming pool facility.

At the time of writing this report officers were unable to obtain an update indicative quote. The Annual Budget for 2023/2024 was adopted in July and no allocation for this type of expenditure for either capital or operations has been provided for.

Council is being requested to give direction on the request received from TPASC;

- a. Commit budget allocation of \$700,000 in 2024/2025 Annual Budget to heat all 3 Shire operated pools and increase operational allocation at each facility \$40,000 or
- b. Consider budget allocation in future years in the Long-Term Financial Plan along with operational costs.

It should be noted that during the community consultation process for the Shire of Ashburton Strategic Community Plan 2022-2032, the highest category of feedback received was for heating the Shire's swimming pools.

Consultation

Swimming Pool Coordinator

Executive Leadership Team

Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	2. Place - We will provide sustainable, purposeful, and valued built and natural environment opportunities for the community.
Strategic Outcome	2.7 Quality, well-maintained, and purposeful community facilities
Strategy	2 Maintain facilities in a strategic manner, ensuring community needs are met.

Council Policy

Nil.

Financial Implications

Current Financial Year

If the recommendation presented is endorsed there will be no additional financial implication in this current financial year.

Future Financial Year(s)

Should the recommendation presented be supported, Council will need to consider allocating funds in the 2024/2025 Shire budget of \$700,000 for capital costs to install heating equipment at the 3 Shire operated public swimming pools.

Provision will also need to be made in the 2024/2025 budget and future budgets for an additional \$40,000 per annum, per swimming pool to cover expected increased operating costs.

There is no proposal to extend pool operational hours. Heating the Shire pools may possibly attract increased patronage early or late in the normal swim season. However, it is difficult to gauge the level of any increased use and quantify additional income that could result.

Legislative Implications

Clause 6.10(2) of the *Shire of Ashburton Standing Orders Local Law 2012* states that the relevant officer is to include the petition in their deliberations and report on the matter that is the subject of the petition.

Local Government Act 1995

Section 6.2 requires that not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, (Absolute Majority required) in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Financial impact	Council committed to project in 24/24 that may increase come 24/25.	Possible (3)	Moderate (3)	Moderate (5-9)	Provide Councillors with sufficient information for decision leading up to the budget adoption for 24/25.
Reputation (social/community)	Could attract negative public feedback not supporting the project based on community requests.	Possible (3)	Moderate (3)	Moderate (5-9)	Provide Councillors with sufficient information for decision leading up to the budget adoption for 24/25.

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be low.

Voting Requirements

Simple Majority

Officer Recommendation

That with respect to petition submitted to Council on 11 July 2023 requesting the heating of the Public Swimming Pools in Tom Price and Paraburdoo, Council,

1. Acknowledges the petition from Tom Price Amateur Swimming Club and the signatories' views on heating the mentioned swimming facilities during the normal swim season; and
2. Supports the concept of heating the three Shire operated public swimming pools at Onslow, Paraburdoo and Tom Price to facilitate longer use during the normal swim season and times; and,
3. Consider, during the preparation of the 2024/2025 Shire Budget, allocating:
 - (a) \$700,000 towards the capital costs of installing heating equipment at the public swimming pools in Onslow, Paraburdoo and Tom Price; and
 - (b) a further budget increase of \$40,000 per swimming pool in the 2024/2025 budget and moving forward, to cover increased operating costs.

Council Decision **159/2023**

Moved **Cr T Mladenovic**

Seconded **Cr A Smith**

That with respect to petition submitted to Council on 11 July 2023 requesting the heating of the Public Swimming Pools in Tom Price and Paraburdoo, Council,

- 1. Acknowledges the petition from Tom Price Amateur Swimming Club and the signatories' views on heating the mentioned swimming facilities during the normal swim season; and**
- 2. Supports the concept of heating the three Shire operated public swimming pools at Onslow, Paraburdoo and Tom Price to facilitate longer use during the normal swim season and times; and,**
- 3. Consider, during the preparation of the 2024/2025 Shire Budget, allocating:**
 - (a) \$700,000 towards the capital costs of installing heating equipment at the public swimming pools in Onslow, Paraburdoo and Tom Price; and**
 - (b) a further budget increase of \$40,000 per swimming pool in the 2024/2025 budget and moving forward, to cover increased operating costs.**

For: **Crs K White, M Lynch, M Gallanagh, L Rumble JP, A Sullivan, A Smith and T Mladenovic**

Against: **Nil**

Carried 7/0

16 Councillor Agenda Items / Notices of Motion

Nil

17 New Business Of An Urgent Nature Introduced By Council Decision

Nil

18 Confidential Matters

Procedural Motion

Moved Cr A Smith

Seconded Cr T Mladenovic

That Council move behind closed doors at 1:36pm, pursuant to clause 6.2 of the *Shire of Ashburton Standing Orders Local Law 2012* to consider the following confidential items.

18.1 Differential Rate Excess Charges 2022-2023

8.1 Wittenoom Claims Update

Pursuant to sub section 5.23 (2)(c) of the Local Government Act 1995 which provides:

- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting
- (b) the personal affairs of any person

For: Crs K White, M Lynch, M Gallanagh, L Rumble JP, A Sullivan, A Smith and T Mladenovic

Against: Nil

Carried 7/0

18.1 Differential Rate Excess Charges 2022-2023

File Reference	RV07
Applicant or Proponent(s)	Not Applicable
Author	D Kennedy, Director Corporate Services
Authorising Officer	D Kennedy, Director Corporate Services
Previous Meeting Reference	Special Council Meeting 28 July 2022 – Item 6.1 – 099/2022 Ordinary Council Meeting 9 May 2023 – Item 12.3 – 073/2023 Ordinary Council Meeting 9 May 2023 – Item 12.7 – 077/2023
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	Nil

Reason for Confidentiality

Section under the Act	<i>This matter is to be considered behind closed doors pursuant to s.5.23(2)(d) of the Local Government Act 1995 as the subject matter relates to:</i>
Sub-clause and Reason:	<i>“s.5.23(2)(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.”</i>

Report Purpose

The purpose of this report is for Council to consider making an ex-gratia payment to correct unintended rating excess charges that were raised in the 2022-2023 financial year.

Council is requested to approve an ex-gratia payment of \$54,327.56 and a municipal budget amendment as detailed in the body of the report.

Voting Requirements

Absolute Majority

Council Decision 160/2023

Moved Cr A Sullivan

Seconded Cr M Lynch

That with respect to the Differential Rate Excess Charge for 2022-2023, Council,

That with respect to the Differential Rate Excess Charge for 2022-2023, Council,

1. Approve an ex-gratia (refund) payment to the following:

(a) Assessment A34661 \$ 4,750.20 (Credit)

(b) Assessment A51052 \$23,751.00 (Credit)

(c) Assessment A51053 \$23,751.00 (Credit)

(d) Assessment A6909 \$ 2,075.36 (Credit)

2. Amends the 2023-2024 Municipal Budget for Job RV11999 Rate Adjustments by \$54,327.56 (Debit)

For: Crs K White, M Lynch, M Gallanagh, L Rumble JP, A Sullivan, A Smith and T Mladenovic

Against: Nil

Carried By Absolute Majority 7/0

Audit And Risk Management Committee Meeting held on 8 August 2023

8.1 Wittenoom Claims Update

File Reference	LS34
Applicant or Proponent(s)	Not Applicable
Author	D Kennedy, Director Corporate Services
Authorising Officer	D Kennedy, Director Corporate Services
Previous Meeting Reference	Audit and Risk Committee Meeting 4 April 2023 - Item 8.1
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	Nil

Reason for Confidentiality

Section under the Act	<i>This matter is to be considered behind closed doors pursuant to s.5.23(2)(b) of the Local Government Act 1995 as the subject matter relates to:</i>
Sub-clause and Reason:	<i>“s.5.23(2)(b) the personal affairs of any person.”</i>

Report Purpose

This item provides a summary of open and new claims since the last Wittenoom Claims update which was provided to the 4 April 2023 Audit and Risk Management Committee Meeting.

The Audit and Risk Management Committee is requested to receive the Wittenoom Claims update.

Council Decision	161/2023
Moved	Cr M Lynch
Seconded	Cr T Mladenovic
That with respect to the Wittenoom Claims Update, the Audit and Risk Management Committee recommends to Council that, the report be received.	
For:	Crs K White, M Lynch, M Gallanagh, L Rumble JP, A Sullivan, A Smith and T Mladenovic
Against:	Nil
Carried 7/0	

Procedural Motion**Moved** **Cr A Smith****Seconded** **Cr T Mladenovic****That Council re-open the meeting to the public at 1:38pm.****For:** **Crs K White, M Lynch, M Gallanagh, L Rumble JP, A Sullivan, A Smith
and T Mladenovic****Against:** **Nil****Carried 7/0****19 Next Meeting**

The next Ordinary Council Meeting will be held at 1:00pm on Tuesday 12 September 2023 at Barry Lang Centre, Deepdale Drive, Pannawonica.

20 Closure Of Meeting

There being no further business, the Presiding Member closed the meeting at 1:38pm.