



# Agenda

Ordinary Council Meeting

Tuesday, 12 September 2023

Date:	Tuesday 12 September 2023
Time:	1:00pm
Location:	Barry Lang Centre, Deepdale Drive, Pannawonica
Distribution Date:	Thursday 07 September 2023



**Shire of Ashburton  
Ordinary Council Meeting**

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

A handwritten signature in black ink, appearing to read "Kenn Donohoe".

Kenn Donohoe  
Chief Executive Officer  
07 September 2023

**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 [enter time](#).

## 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

To be informed at the meeting.

# 3 Attendance

## 3.1 Present

Elected Members:	Cr K White Cr M Lynch Cr M Gallanagh Cr L Rumble JP Cr A Sullivan Cr J Richardson Cr A Smith Cr T Mladenovic	Shire President (Presiding Member), Onslow Ward Deputy Shire President, Tom Price Ward Pannawonica Ward Paraburdoo Ward Paraburdoo Ward Tableland Ward Tom Price Ward Tom Price Ward
Employees:	K Donohoe C McGurk D Kennedy R Miller J Bray R Marlborough A Furfaro	Chief Executive Officer Director Community Development Director Corporate Services Director Infrastructure Services Manager Governance Senior Governance Officer Governance Officer
Guests:	<a href="#">Enter names</a>	
Members of Public:	There were <a href="#">enter number</a> members of the public in attendance at the commencement of the meeting.	
Members of media:	There were <a href="#">enter number</a> members of the media in attendance at the commencement of the meeting.	

### **3.2 Apologies**

To be informed at the meeting.

### **3.3 Approved Leave Of Absence**

Cr R De Pledge      Ashburton Ward      From 8 August 2023 to 12 September 2023

## **4 Question Time**

### **4.1 Response To Previous Public Questions Taken On Notice**

Nil

### **4.2 Public Question Time**

#### **Poppy Mahon**

Received 26 August 2023.

#### **Question**

I am writing to you to ask a question around Council awareness of the of chemicals used in rodent pest control in Australia and the impact they have on our Australian native wildlife?

I also request Council support to take the following steps for local pest management:

1. Avoid the use of Second-Generation Anticoagulant Rodenticides (SGARs) and instead use safer First-Generation Anticoagulant Rodenticides (FGARs). FGARs have a short half-life and are metabolised within 30 hours making them less harmful to non-target animals.
2. Restrict permanent baiting and replace with pulsed baiting in areas where exposure to non-target wildlife is high.
3. Stop using SGARs in residential or domestic areas, and restrict to within 100m of non-residential buildings.
4. Provide guidance on your website for rodent prevention strategies including: the safe use of rodenticides and not to use SGARs due to the potential for non-target animal deaths.

Please see the Shire of Serpentine who have put together some great information and recommendations on rodent control: <https://www.sjshire.wa.gov.au/community/health-and-environment/public-health/community-amenity/pests/rodents.aspx>

## **5 Declaration By Members**

### **5.1 Due Consideration By Councillors To The Agenda**

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

## **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 –

Nil

## **6 Announcements By The Presiding Member And Councillors Without Discussion**

To be informed at the meeting.

## **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**

To be advised at the meeting

## **10 Confirmation Of Minutes**

### **10.1 Confirmation of Council Minutes**

#### **10.1.1 Minutes Of The Ordinary Council Meeting Held On 8 August 2023**

##### **Officer Recommendation**

That the Minutes of the Ordinary Council Meeting held 8 August 2023 (Item 10.1.1 Attachment 1) be confirmed as a true and accurate record.

### **10.2 Receipt of Committee and other Minutes**

#### **10.2.1 Minutes Of The Ashburton Economic And Tourism Development Committee Meeting Held On 8 August 2023**

##### **Officer Recommendation**

That the Minutes of the Ashburton Economic And Tourism Development Committee Meeting held 8 August 2023 (Item 10.2.1 Attachment 1) be received.

#### **10.2.2 Minutes Of The Audit And Risk Management Committee Meeting Held On 8 August 2023**

##### **Officer Recommendation**

That the Minutes of the Audit And Risk Management Committee Meeting held 8 August 2023 (Item 10.2.2 Attachment 1) be received.

## **11 Recommendations From Committee**

Nil



## 12 Office of the Chief Executive Officer Reports

### 12.1 Local Planning Scheme No. 8 - Adoption for Public Advertising

<b>File Reference</b>	LP10.8.0
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	L Advisory, LK Advisory Pty Ltd
<b>Authorising Officer</b>	K Donohoe, Chief Executive Officer
<b>Previous Meeting Reference</b>	Ordinary Council Meeting – 20 April 2021 – 13.2 – Council Decision – 62/2021.  Ordinary Council Meeting – 22 October 2022 – 13.1 – Council Decision – 144/2022.  Ordinary Council Meeting – 9 May 2023 – 11.3 – Council Decision – 069/2023.
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Draft LPS 8 <a href="#">⇨</a></li> <li>2. Overall Scheme <a href="#">⇨</a></li> <li>3. Onslow Townsite <a href="#">⇨</a></li> <li>4. Onslow Surrounds <a href="#">⇨</a></li> <li>5. Paraburdoo Townsite <a href="#">⇨</a></li> <li>6. Tom Price Townsite <a href="#">⇨</a></li> <li>7. Tom Price Surrounds <a href="#">⇨</a></li> <li>8. Tubridgi <a href="#">⇨</a></li> </ol>

#### Report Purpose

To consider the draft Local Planning Scheme No. 8 (LPS 8) for adoption, for the purposes of referral to the Environmental Protection Authority (EPA) and the Minister for Planning and Western Australian Planning Commission (WAPC) for consent to commence public advertising.

#### Background

At the Ordinary Council Meeting held on 9 May 2023, Council resolved:

*“That with respect to Draft Local Planning Scheme No. 8 and the Local Planning Strategy, Council:*

1. *Advises the Environmental Protection Authority that it withdraws the version of draft Local Planning Scheme No. 8 adopted by Council on 11 October 2022 and later referred to the Authority for consideration under Section 81 of the Planning and Development Act 2005, due to Council’s future consideration of a revised draft Scheme;*

2. *Advises the Western Australian Planning Commission that it withdraws the version of draft Local Planning Scheme No. 8 adopted by Council on 11 October 2022 and later referred to the Commission for consideration under regulation 21(4) of the Planning and Development (Local Planning Schemes) Regulations 2015, due to Council's future consideration of a revised draft Scheme;*
3. *Receives a further report to adopt a new draft Local Planning Scheme No. 8 for subsequent referral to the Environmental Protection Authority and Western Australian Planning Commission, and to concurrently amend the Shire's Local Planning Strategy; and*
4. *Authorises the Chief Executive Officer to secure and execute a funding agreement from the Department of Planning, Lands and Heritage for a financial contribution towards the Shire's costs of preparing the revised draft Local Planning Scheme No. 8 and amended Local Planning Strategy."*

The Shire has actioned items 1, 2 and 4 from Council's resolution above. This report addresses item 3.

### **Comments**

The Shire's planning consultant, LK Advisory, has worked closely with staff to ensure that LPS 8 aligns with Council's goals and objectives for the future and positions the Shire well to deal with key planning and development issues, trends, opportunities, and risks facing the region.

In preparing LPS 8, LK Advisory has extensively reviewed multiple Council decisions and strategic documents, including:

- The Shire's existing Local Planning Strategy (2021).
- Local Planning Scheme No. 7 (LPS 7).
- The draft Community Lifestyle Infrastructure Plan (CLIP) for Tom Price and Paraburdoo.
- The Onslow: Towards a Visitor Economy Report (2022).
- Strategic Community Plan 2022 – 2032.
- Corporate Business Plan 2023 – 2027.
- *Planning and Development Act 2005 (Act).*
- *Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regulations), including Schedule 1 – Model Provisions for Local Planning Schemes (Model Provisions) and Schedule 2 – Deemed Provisions for Local Planning Schemes (Deemed Provisions).*

The draft Scheme is based on the Model Provisions and carefully addresses key planning issues relating to housing, tourism, environment, and industry. It generally follows the guidance of the Shire of Ashburton Local Planning Strategy (endorsed 21 June 2021), which has also been reviewed and is the subject of another report in this agenda.

Together with Shire staff, LK Advisory prepared five discussion papers relating to the structure of LPS 8, Onslow, Tom Price, Paraburdoo and regional issues. These were workshopped with elected members on 9 August 2023.

The issues outlined in the Discussion Papers are well understood and generally agreed among elected members. However, two key matters were identified in the recent workshop, relating to the residential density code over ‘Centre’ zoned land in Onslow and the location of ‘Industrial Development’ zoned land in Paraburdoo. These two issues are discussed in more detail below.

Residential Density Coding in Onslow

The existing ‘Civic and Commercial’ zone (R50) is recommended to be changed to ‘Centre’ zone (R-AC4). The primary controls (taken from the Residential Design Codes – Volume 2 Apartment Design) for R50 and R-AC4 coded land are provided for comparison in the table below.

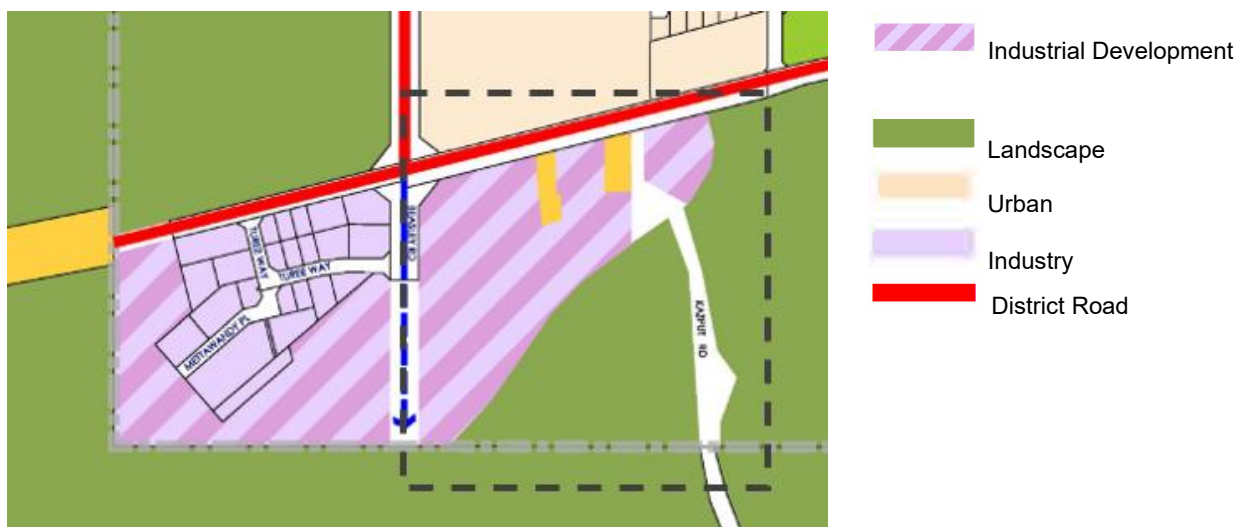
Primary Control	R-Codes	
	R50 (Current)	R-AC4 (Recommended)
Building height	3 Storeys	3 Storeys
Boundary wall height	1 Storey (to one boundary only; 2/3 the length of the lot boundary.	2 Storeys
Minimum primary and secondary street setbacks	2m	2m or Nil (Nil for commercial use at ground floor)
Minimum side setbacks	3m	Nil
Minimum rear setback	3m	6m
Average side setback where building length exceeds 16m	3.5m	N/A
Plot ratio	0.7	1.2

The R-AC4 code is recommended because the controls provide for more efficient use of land in the town centre and a built form that is typical of a traditional main street environment. The controls provide for development with nil setbacks for shopfronts and additional plot ratio to facilitate a mix of residential and non-residential land uses.

This type of built form is more likely to accommodate the right mix and intensity of land use required to create a vibrant, activated and high quality streetscape. Furthermore, the additional plot ratio and reduced setbacks may enable development to be effectively accommodated entirely on the first and second floors in circumstances where the ground floor is not able to accommodate anything other than vehicle parking due to the minimum floor levels required to mitigate coastal hazard risks.

Industrial Development zoned land in Paraburdoo

‘Rural’ zoned land surrounding the existing Industrial zoned land is recommended to be rezoned to ‘Industrial Development’, in accordance with the Local Planning Strategy, illustrated by the purple diagonally striped land in the below figure.



Some concerns were raised by elected members at the recent workshop about allowing additional Industrial Development on the southern side of Camp Road east of Beasley Road. The concern related to the current unsightly development that is occurring in this location, its proximity to residential uses and the associated visual impacts on the gateway into the town from the west.

In considering whether to zone this land Industrial Development, Council should note that a Structure Plan would need to be approved by the WAPC before subdivision and development can occur. The benefit here is the structure planning process requires the applicant to:

- Establish a bespoke planning framework including zones, reserves, land uses and development standards within the structure plan area;
- Outline mechanisms to protect environmental or heritage features;
- Identify how subdivision and development will respond to hazards and separation areas;
- Identify how subdivision and development will respond to or be staged in relation to major infrastructure, including for the provision of roads and utilities;
- Provide arrangements to interface with land adjoining the structure plan area; and
- Provide for public open space in accordance with WAPC policies.

Comprehensive structure planning and development has the ability to resolve some of the issues associated with the ad-hoc and unplanned state of the area by facilitating a more orderly and complete development precinct. By contrast, maintaining the existing ‘Rural’ zone could result in the status quo remaining.

If Council is satisfied with the recommended approach to these two matters, it can adopt the officer’s recommendation.

If however, Council wants to change the approach to one or both of these matters (or any other aspect of the draft Scheme), it must amend the officer recommendation by deleting item 1 of the officer recommendation and replace it with the following:

1. Adopts the draft Scheme subject to the following modifications and proceeds to advertise the draft Scheme with modifications as specified in item 2 below, in accordance with section 72(1)(a) of the *Planning and Development Act 2005* and regulation 21(1)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
  - a) Change the residential density code for land zoned ‘Centre’ in Onslow from ‘R-AC4’ to ‘R50’; and/or
  - b) Change the ‘Industrial Development’ zoned land south of Camp Road and east of Beasley Road, Paraburdoo to ‘Rural’.
  - c) ...etc.

**Next Steps**

If Council adopts LPS 8 for public advertising, it must refer the scheme to the EPA pursuant to section 83A of the Act and seek approval to commence public advertising from the Minister for Planning pursuant to section 87 of the Act and the WAPC pursuant to regulation 21(1)(2) of the LPS Regulations.

The table below sets out the six legislative steps that need to occur before the Shire can commence public advertising of LPS 8.

<b>Step</b>	<b>Timeframe</b>
1. Council Adopts LPS 8 for public advertising.	September 2023
2. The Shire refers LPS 8 to EPA.	September 2023
3. The Shire refers LPS 8 to Minister for Planning and WAPC.	September 2023
4. EPA to determine whether LPS 8 requires environmental assessment.	28 days from the date of receiving LPS 8
5. WAPC to review LPS 8, advise of any modifications and provide consent for the Shire to advertise LPS 8.	90 days from the date of receiving LPS 8
6. Minister for Planning to review LPS 8 and advise whether they approve advertising the scheme, require modifications to the scheme before advertising, or refuse approval to advertise the scheme.	No time limit

The Shire and LK Advisory will continue to work collaboratively with the DPLH and the EPA, providing any necessary documentation and correspondence to ensure that LPS 8 progresses smoothly through to advertising.

It is expected that LPS 8 will be approved for advertising by the Minister for Planning and/or the WAPC in late 2023/early 2024. However, if an environmental assessment is required by the EPA or if LPS 8 needs to be modified and resubmitted for inspection by the Minister for Planning and/or WAPC, the public advertising may be delayed.

A further report will be presented to Council if the EPA require the Shire to undertake an environmental assessment of the Scheme or if the Minister for Planning and/or the WAPC require any modifications before advertising.

Advertising of LPS 8

Upon receipt of advice from the Minister for Planning and/or the WAPC that LPS 8 can be advertised, the Shire will undertake the necessary steps to commence public advertising as described in the below table.

Step	Timeframe
1. Prepare advertising material, including a notice of the draft Scheme in a prescribed form.	As soon as practicable
2. Publish the notice and the draft Scheme in accordance with r.76A of the LPS Regulations which includes: a. Publishing the notice and the document (or a link to the document) on the Shire’s website; and may include b. Publishing the notice in a local newspaper/s circulating the scheme area; and c. Making the documentation available for public inspection at the Shire’s offices in each town. 3. Refer a copy of the draft Scheme to each Public Authority the Shire considers likely to be affected.	The period for making submissions is at least 90 days from the dater the notice is published.
4. Review and respond to submissions.	
5. Prepare Council report to consider submissions and either support LPS 8 with or without modifications or not support the Scheme.	120 days from the end of advertising period
6. Provide all necessarily documentation to WAPC.	Within 21 days of Council’s resolution

Subject to external decision-making processes, advertising of LPS 8 may commence in the first quarter of 2024.

After public advertising, Council will have an opportunity to consider all submissions received and resolve to either:

- Support the draft Scheme with or without modification; or
- Not support the draft Scheme.

Approval of LPS 8

At the conclusion of the public advertising period, there are three steps involved before LPS 8 can be approved by the Minister for Planning. Each step is described in the left column of the table below, the Minister or agency involved in the middle column and the timeframe in the right-hand column.

Step	Agency/Organisation	Timeframe
1. Officers of the DPLH review the draft Scheme, all documentation and submissions received, and prepare a report with recommendations for consideration by the Statutory Planning Committee (SPC) (on behalf of the WAPC).	DPLH	120 days

Step	Agency/Organisation	Timeframe
2. The SPC formally makes a recommendation to the Minister for Planning, which may or may not include modifications to the draft Scheme.	WAPC	
3. Minister for Planning may approve the Scheme with or without modifications or may refuse the Scheme.	Minister for Planning	No time limit

The Shire and LK Advisory will liaise with DPLH as they undertake their assessment of the Scheme and submissions and will provide clarification and support as and when required.

Implementation of LPS 8

After LPS 8 is referred to the WAPC for final adoption, the Shire will prepare a suite of Local Planning Policies and procedures to supplement the new Scheme and fill any gaps in the existing local planning framework. The draft policy framework will be presented to Council for advertising and adoption while the WAPC undertakes its assessment of the Scheme. This approach will ensure the policies are ready for implementation by time the new Scheme is gazetted.

**Consultation**

Department of Planning, Lands and Heritage  
 Elected Members  
 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            2.6 Land use opportunities to benefit current and future communities
- Strategy                         2 Incorporate appropriate planning controls for land use planning and development.

**Council Policy**

Nil

**Financial Implications**

Current Financial Year

The Shire has received grant funding from the DPLH to prepare LPS 8 and update its Local Planning Strategy.

Future Financial Year(s)

Nil

**Legislative Implications**

LPS 8 has been prepared in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**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 refuse to approve LPS 8 for advertising or require major changes.	Unlikely (2)	Minor (2)	Low (1-4)	Accept the officers' recommendation
Compliance	The EPA require an environmental review of LPS 8.	Possible (3)	Minor (2)	Moderate (5-9)	
Compliance	The Minister for Planning or WAPC require modifications to LPS 8 prior to advertising.	Unlikely (2)	Minor (2)	Low (1-4)	

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 draft Local Planning Scheme No. 8, Council,

1. Adopts the draft Scheme (comprising the Scheme Text and Scheme Maps included as Attachments 1 and 2, respectively) without modification and proceeds to advertise the draft Scheme in accordance with section 72(1)(a) of the *Planning and Development Act 2005* and regulation 21(1)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. Authorises the Chief Executive Officer to:
  - a. Refer the draft Local Planning Scheme No. 8 to the Environmental Protection Authority for consideration in accordance with section 81(1) of the *Planning and Development Act 2005*.
  - b. Refer the draft Local Planning Scheme No. 8 to the Western Australian Planning Commission for consideration in accordance with regulation 21(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
  - c. Refer the draft Local Planning Scheme No. 8 to the Minister for Planning for approval to advertise in accordance with section 83A(1) of the *Planning and Development Act 2005*.
  - d. Advertise the draft Local Planning Scheme No. 8 for public comment in accordance with regulation 22 of the *Planning and Development (Local Planning Schemes) Regulations 2015* if no environmental assessment or modifications are required in response to a., b., or c. above.
3. Notes that a further report will be presented to Council:
  - a. If, in response to 2.a. above, the Environmental Protection Authority requires an environmental review of the Scheme in accordance with section 48C(1)(a) of the *Environmental Protection Act 1986*.
  - b. If, in response to 2.b. or 2.c. above, the Western Australian Planning Commission or the Minister for Planning require modifications to the draft Scheme prior to the commencement of public advertising.
  - c. To consider submissions received during public advertising of the draft Scheme if the Environmental Protection Authority does not require an environmental review and the Commission and the Minister do not require the Scheme to be modified before advertising commences.

## 12.2 Amendment No. 1 to Local Planning Strategy - Adoption for the Purposes of Advertising

<b>File Reference</b>	LP10.8.0
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	L Advisory, LK Advisory Pty Ltd
<b>Authorising Officer</b>	K Donohoe, Chief Executive Officer
<b>Previous Meeting Reference</b>	Ordinary Council Meeting – 9 December 2015 – 14.1. Ordinary Council Meeting – 24 November 2017 – 14.1 – Council Decision 266/2017. Ordinary Council Meeting – 10 November 2020 – 13.2 – Council Decision 196/2020. Ordinary Council Meeting – 9 May 2023 – 11.3 – Council Decision – 069/2023.
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	1. Amendment No. 1 Schedule of Changes <a href="#">⇒</a> 2. Amended Local Planning Strategy Part 1 (Combined) <a href="#">⇒</a>

### Report Purpose

Council is requested to consider adopting Amendment No. 1 to the Local Planning Strategy for the purposes of referral to the Western Australian Planning Commission (WAPC) for certification to advertise.

### Background

At the Ordinary Council Meeting held on 9 May 2023, Council resolved the following:

*“That with respect to Draft Local Planning Scheme No. 8 and the Local Planning Strategy, Council:*

1. *Advises the Environmental Protection Authority that it withdraws the version of draft Local Planning Scheme No. 8 adopted by Council on 11 October 2022 and later referred to the Authority for consideration under Section 81 of the Planning and Development Act 2005, due to Council’s future consideration of a revised draft Scheme;*
2. *Advises the Western Australian Planning Commission that it withdraws the version of draft Local Planning Scheme No. 8 adopted by Council on 11 October 2022 and later referred to the Commission for consideration under regulation 21(4) of the Planning and Development (Local Planning Schemes) Regulations 2015, due to Council’s future consideration of a revised draft Scheme;*
3. *Receives a further report to adopt a new draft Local Planning Scheme No. 8 for subsequent referral to the Environmental Protection Authority and Western Australian Planning Commission, and to concurrently amend the Shire’s Local Planning Strategy; and*

4. *Authorises the Chief Executive Officer to secure and execute a funding agreement from the Department of Planning, Lands and Heritage for a financial contribution towards the Shire's costs of preparing the revised draft Local Planning Scheme No. 8 and amended Local Planning Strategy."*

The Shire has actioned items 1, 2 and 4 from Council's May 2023 resolution and this report now relates to the Local Planning Strategy component of item 3. A separate report is included in this agenda regarding draft Local Planning Scheme No. 8 (LPS 8).

### **Comments**

The Shire's Local Planning Strategy (Strategy) was first prepared and adopted by Council on 24 December 2017 and was later endorsed by the WAPC on 21 June 2021.

Following endorsement of the Strategy, the WAPC published a 'Local Planning Strategy Template', in October 2021. Although new Local Planning Strategies need to follow this template, officers at the Department of Planning, Lands and Heritage (DPLH) have confirmed that the Shire's Strategy does not need to be reformatted for the purposes of the proposed amendment which is the subject of this report. Consequently, Amendment No. 1 to the Strategy presented to Council has retained the same structure and format as that endorsed by the WAPC in 2021.

The *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) require a Local Planning Strategy to be prepared for each Local Planning Scheme. As the Shire is preparing a new LPS 8, a simultaneous amendment to the Strategy has been prepared to:

- Ensure the Strategy aligns with recent strategic decisions and documents adopted by Council;
- Update the Strategy with recent data, for example, demographic data from the 2021 Census;
- Update the Strategy to reflect changes to the state planning framework; and
- Ensure the Strategy aligns with and supports the newly drafted LPS 8.

### **Summary of key changes**

The Strategy comprises of two parts:

- Part 1 – The strategic plans and actions for implementation; and
- Part 2 – A collection of background data and information forming a Local Profile and Context Report.

In its entirety, the Strategy is a voluminous document, comprising nearly 300 pages. If prepared under the current WAPC Template and Guidelines for Local Planning Strategies, it would be a far more succinct. However, as the Strategy is only being amended, the structure of the Strategy has been kept intact.

At this stage, the Shire and its planning consultants, LK Advisory, have prepared changes to Part 1 of the Strategy to align with the new LPS 8. Updates to Part 2 are well advanced and will be completed prior to Amendment No. 1 being referred to external agencies for consent to advertise, but are not included with this report. As Part 2 is merely a contextual document mainly comprising facts and data to inform Part 1, it is recommended that Council authorise the Chief Executive Officer to separately finalise Part 2, to enable the timely progression of Amendment No. 1 and LPS 8.

The schedule of the changes proposed to the Strategy by Amendment No. 1 is included as Attachment 1. Attachment 2 shows these changes in 'tracked' red coloured text. The following key changes to the Strategy are highlighted for Council's consideration:

1. Amendment No. 1 updates the population data to incorporate the 2021 Census, which reflects a substantial decline in the Shire's overall population (43% decline since 2016) and the implications of this change. Notably, the population decrease predominantly occurred in areas outside of the Shire's townsites where the resource sector's need for workers declined as major projects transitioned from construction to operation phase. In recognition of this trend, Amendment No. 1 and LPS 8 have been prepared to accommodate future fluctuations in the resource economy, to capitalise on transient workforces and economic activity, and to position the townsites as viable permanent places of residence for resource sector workers and their families.
2. An action has been included in Amendment No. 1 to, where appropriate, rezone underutilised or surplus land within the townsites of Onslow, Tom Price and Paraburdoo for residential development, in addition to increasing the allowable residential density and identifying nearby land for residential expansion.
3. Amendment No. 1 includes an action for LPS 8 to include specific provisions requiring Workforce Accommodation (previously referred to as Transient Worker Accommodation) to be located within established townsites, wherever practicable. Currently, the Strategy adopts more of an 'advocacy' position in this respect, likely in recognition of the fact that Workforce Accommodation is often exempt from the need for approval under the Local Planning Scheme, due to the effect of other State legislation.
4. Amendment No. 1 changes the Townsite Strategy Plans to identify additional land for possible industrial development near the townsites to address a lack of available industrial land.
5. Amendment No. 1 changes the Strategy document and overall Strategy Plan to recognise and appropriately zone the Pilbara Regional Waste Management Facility and to identify land for future expansion.
6. Amendment No. 1 takes a position to identify land for conservation purposes only where that land has been formally recognised as a Conservation Area, rather than land 'proposed' for conservation. The existing 'Landscape' classification of land surrounding the townsites of the Strategy remains.
7. The Onslow Townsite Strategy Plan has been amended to identify additional land south of Beadon Creek Boat Harbour and around Onslow Airport for possible industrial and service commercial use. Importantly this Plan identifies the need to prepare a structure plan for the Beadon Creek Boat Harbour to coordinate and guide land use, particularly given the risk of conflict between industrial uses, residential/tourism uses, and recreational and commercial boating.

8. More generally, Amendment No. 1 changes the terminology used to classify land on the Strategy Plans to better align with the zones and reserves proposed by LPS 8 and as guided by the Model Provisions of the LPS Regulations.
9. Several site-specific changes have been made to the designation of land in the Townsite Strategy Plans to better reflect the current use of land, and/or the Shire’s strategic intentions, and to ensure alignment with the zoning or reservations proposed by LPS 8.

**Procedural Steps**

If Council adopts Amendment No. 1, the steps involved in advertising, obtaining final approval and implementing Amendment No. 1 are set out under the headings below. The process for amending a Local Planning Strategy is the same as that required for preparing a new Local Planning Strategy, though the LPS Regulations allow for a Local Planning Strategy to be amended concurrently with a Local Planning Scheme. It is intended that Amendment No. 1 and LPS 8 will progress and be advertised concurrently.

*1. WAPC to certify Amendment No. 1 for advertising*

There are five steps that need to be followed for Amendment No. 1 to receive WAPC certification to advertise. Each step is described in the first column of the table below, with the second column identifying the responsible agency or organisation and the associated timeframes provided in the third column.

<b>Step</b>	<b>Agency/Organisation</b>	<b>Timeframe</b>
1. Council adopt Amendment No. 1 to the Strategy	Shire of Ashburton	September 2023
2. Refer the Amendment No. 1 to the WAPC		September 2023
3. WAPC assesses Amendment No. 1	WAPC	As soon as reasonably practicable after referral from the Shire.
4. WAPC can require modifications to Amendment No. 1		
5. WAPC certifies that Amendment No. 1 can proceed to advertising		

Upon referral to the WAPC, the Shire and LK Advisory will continue to work collaboratively with the DPLH as they assess and provide a recommendation on the amended Strategy to the WAPC.

As indicated above, there are no statutory timeframes for the certification of Amendment No. 1; however, based on other examples, it is anticipated the Shire will receive consent to advertise within 3-4 months after referring it to the WAPC. This timeframe may take longer if the WAPC requires modifications to Amendment No. 1. If this occurs, a further report will be presented to Council to consider the modifications required by the WAPC.

*2. Advertising of Amendment No. 1 to the Strategy*

Upon receipt of advice from the WAPC that Amendment No. 1 to the Strategy has been certified for advertising, the steps in the following table are to be taken.

Step	Agency/Organisation	Timeframe
1. Prepare advertising material	Shire of Ashburton	As soon as practicable after receiving WAPC consent to advertise.
2. Advertise Amendment No. 1		90 days recommended.
3. Review the submissions received		As soon as practicable after the close of advertising.
4. Prepare a Council report to consider the submissions and adopt Amendment No. 1 with or without modifications; or not adopt Amendment No. 1.		
5. Provide documents to WAPC		

Subject to a timely response from the WAPC, it is anticipated that Amendment No. 1 will be advertised within the first quarter of 2024, concurrently with LPS 8. The advertising of both Amendment No. 1 and LPS 8 will be carried out in accordance with Council's Community Engagement Policy and the requirements of the LPS Regulations.

*3. Approval of Amendment No. 1*

Once the Shire submits Amendment No. 1 to the WAPC for approval, there are two steps involved, described in the table below.

Step	Agency/Organisation	Timeframe
1. WAPC considers submissions received, the Shire's response to submissions and any modifications made by the Shire.	WAPC	60 days (though may be extended by the Minister or an authorised person).
2. WAPC endorses Amendment No. 1 to the Strategy with or without modification or refuses to endorse the amended Strategy.		

Once Amendment No. 1 is endorsed, the Strategy will be updated to reflect the changes made by Amendment No. 1. The updated Strategy will then be published on the Shire's and WAPC's websites.

*4. Implementation of Amended Strategy*

The amended Strategy will primarily be implemented through the concurrent gazettal of LPS 8, though will be supported by the preparation of a suite of Local Planning Policies and procedures to complement the new LPS 8 statutory framework.

Actions from the amended Strategy that cannot be implemented through LPS 8 will be progressed by the Shire through its ordinary corporate business planning practices, for example the advocacy positions recommended by the Strategy.

**Consultation**

Department of Planning, Lands and Heritage  
 Elected Members  
 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            2.6 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**

Nil

**Financial Implications**

Current Financial Year

The Shire has received grant funding from the DPLH to prepare a new Local Planning Scheme and amend its Local Planning Strategy.

Future Financial Year(s)

Nil

**Legislative Implications**

Amendment No. 1 to the Strategy has been prepared in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**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)	The amended Strategy is not adopted resulting in the Strategy not aligning with the strategic direction of the Shire.	Unlikely (2)	Minor (2)	Low (1-4)	Accept the officers' recommendation.
Compliance	The Strategy should reflect the Shire's planning objectives so that these are considered in determining applications for development approval. If the amended Strategy does not progress, the local planning framework may be misaligned to the Shire's objectives, potentially leading to adverse planning decisions and/or outcomes.	Unlikely (2)	Minor (2)	Low (1-4)	Accept the officers' recommendation.

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 Amendment No. 1 to Local Planning Strategy - Adoption for the Purposes of Advertising, Council,

1. In accordance with regulations 11 and 17 of the *Planning and Development (Local Planning Schemes) Regulations 2015* adopts Amendment No. 1 to the Shire's Local Planning Strategy, comprised of:
  - a. Modifications to Part 1, as detailed in Attachments 1 and 2; and
  - b. Modifications to Part 2, as deemed necessary by the Chief Executive Officer in accordance with 2. below.
2. Authorises the Chief Executive Officer to prepare a schedule of modifications to Part 2 of the Shire of Ashburton Local Planning Strategy to accord with Council's modifications to Part 1 and to address the following:
  - a. Factual updates to all sections of Part 2, including:
    - i. State and Regional Planning Context;
    - ii. Local Planning Context;
    - iii. Land Tenure and Environmental Profile;
    - iv. Population and Housing;
    - v. Economic and Employment;
    - vi. Retail and Commerce;
    - vii. Industry;
    - viii. Rural and Rangelands Areas;
    - ix. Tourism and Visitors;
    - x. Community, Recreation and Open Space;
    - xi. Urban Design, Character and Heritage;
    - xii. Traffic and Transport; and
    - xiii. Infrastructure Services;
  - b. Identification of 'Implications' for the above sections with any changes being broadly consistent with the current Strategy or any more recent decisions and strategic positions adopted by the Council; and
  - c. Updating Section 15 'Townsite Issues and Opportunities' in a manner that is consistent with any relevant decisions and positions adopted by the Council.
3. Authorises the Chief Executive Officer to:
  - a. Upon completion of the modifications and updates detailed in 1 and 2 above, refer Amendment No. 1 to the Shire's Local Planning Strategy to the Western Australian Planning Commission for advertising in accordance with regulation



12(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

- b. Advertise Amendment No. 1 to the Shire's Local Planning Strategy for public comment in accordance with regulation 13(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* if no modifications are required in response to 3.a. above.
4. Notes a further report will be presented to Council:
- a. If, in response to 3.a., the Western Australian Planning Commission requires modifications to Amendment No. 1 prior to certifying the amendment for advertising; and
  - b. To consider submissions received during public advertising of Amendment No. 1 to the Shire's Local Planning Strategy if the Commission does not require the amendment to be modified before advertising commences.

### 12.3 Proposed License of Lot 52 Gregory Way, Paraburdoo WA

<b>File Reference</b>	GRE.0052
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	R Richardson, Lease and Accommodation Officer
<b>Authorising Officer</b>	K Donohoe, Chief Executive Officer
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Photo of Parking Issue 1 <a href="#">⇒</a></li> <li>2. Photo of Parking Issue 2 <a href="#">⇒</a></li> <li>3. Photo of Parking Issue 3 <a href="#">⇒</a></li> <li>4. Photo of Parking Issue 4 <a href="#">⇒</a></li> <li>5. Lot 52 Gregory Way Aerial Map <a href="#">⇒</a></li> <li>6. Lot 52 Gregory Way Photo 1 <a href="#">⇒</a></li> <li>7. Lot 52 Gregory Way Photo 2 <a href="#">⇒</a></li> <li>8. Gregory Way Mens Shed recommended shut off area map <a href="#">⇒</a></li> </ol>

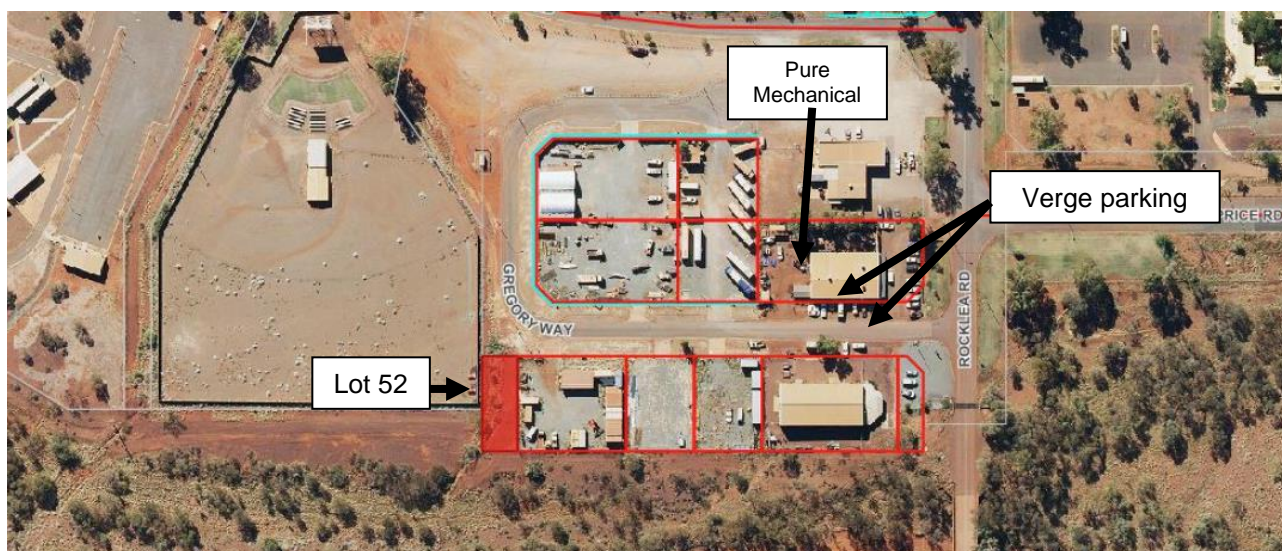
#### Report Purpose

Council is required to consider the proposal of a licence agreement at Lot 52 on Deposited Plan 216817 (Crown Reserve 40405) Gregory Way, Paraburdoo.

Council is requested to endorse the proposed land transaction, subject to approval from Department Planning, Lands and Heritage (DPLH) and advertising under the *Local Government Act 1995*.

#### Background

On 8 July 2023, Ranger Services received a Customer Action Request form, concerning vehicles parking on Gregory Way (Figure 1 refers), causing a visual distraction for drivers including those of buses looking to exit the street (refer to Attachments 1-4).



**Figure 1 – Gregory Way Parking**

Shire officers conducted a site visit and realised the subject parked vehicles were patrons of the local business Pure Mechanical. It is understood from a history of this property that concerns with the verge parking is a regular concern raised by the Paraburdoo community.

It should be noted that these vehicles are being parked in accordance with section 6.9 of the *Shire of Ashburton’s Parking and Parking Facilities Local Law 2013* and no offence is being committed. However, Shire officer’s note the community’s concern of the visual impact to the area and undertook an investigation into possible parking solutions in consultation with Pure Mechanical.

Lot 52 on Deposited Plan 216817 (Crown Reserve 40405) Gregory Way, Paraburdoo (refer to Attachments 5-7) was identified as a potential location to enter into a license agreement between the Shire and Pure Mechanical.

**Comments**

Lot 52 on Deposited Plan 216817 (Crown Reserve 40405) Gregory Way, Paraburdoo is vested to the Shire under a Management Order for the purposes of Parks and Drainage, it currently has no power to lease or license.

Discussions with the DPLH regarding the proposal has been agreed in principle, subject to formal submission and approval by the Minister for Lands. It is anticipated the process to update the Management Order and finalise the lease/license with the DPLH would take approximately 6-12 months to complete.

Pure Mechanical are committed to working closely with the Shire and its community to ensure visual amenity is resolved as quickly as possible, noting a recent increase on demand for services and possible future growth of the business.

Pure Mechanical has agreed in principle to the following essential terms. This is subject to Council approval, advertising under the *Local Government Act 1995* and Minister for Lands approval:

<b>Tenant</b>	Pure Mechanical Pty Ltd, ABN <a href="https://abn.gov.au/abn/57159167905">57 159 167 905</a>
<b>Location</b>	Whole of Lot 52 on Deposited Plan 216817 (Crown Reserve 40405) Gregory Way, Paraburdoo
<b>Commencement date</b>	Upon signing
<b>Basis</b>	Ground/land lease or license

<b>Term</b>	Five (5) years
<b>Rent</b>	\$1,820+GST per annum. Subject to annual CPI rent increases.
<b>Approximate area</b>	Approximately 460sqm
<b>Permitted purpose</b>	Overflow parking area and ancillary use
<b>Optional Term</b>	Five (5) years at Tenant’s discretion
<b>Assignment:</b>	Any approved assignment of the Ground Lease or License will not result in the building and improvements reverting to Shire ownership with the assignee responsible for the cost of ongoing maintenance and repairs.
<b>Sub Leasing</b>	Nil
<b>Outgoings / Services:</b>	All outgoings associated with the Land, including electricity, water and gas, telephone, broadband etc. shall be payable by the Tenant (as applicable).
<b>Rates &amp; Taxes:</b>	All rates and taxes assessed on the Premises (Council rates and Emergency Services Levy and any other rates, taxes, assessments, and impositions) are payable by the Tenant.
<b>Insurance</b>	<p>The Tenant will take out and keep in force appropriate insurances for workers compensation, all buildings and improvements, fixtures, and fittings and the like. The Ground Lease or License will also include an indemnity from the Tenant to the Shire in relation to any damage, loss, injury, or death arising from the development and occupation by the Tenant.</p> <p>All required insurances to be arranged by Tenant at its sole cost (including, but not limited to) Contractors All Risk, Public Liability (minimum \$20 million) and adequate Workers Compensation.</p>
<b>Public Liability</b>	Tenant responsibility, subject to increase where required
<b>Cleaning/Rubbish</b>	Tenant responsibility
<b>Consumables</b>	Tenant responsibility
<b>Signage</b>	Tenant responsibility subject to relevant approvals
<b>Fencing</b>	By Tenant at its cost
<b>Road/Crossover Access</b>	By Tenant at its cost
<b>Legal costs</b>	Each party to pay their respective costs incurred
<b>Earthworks</b>	By Tenant at its sole cost
<b>Compliance</b>	Tenant responsibility
<b>Conditions precedent</b>	Statutory approvals (building, planning, legislative compliance)
<b>Special Conditions</b>	<ul style="list-style-type: none"> <li>• Subject to Minister for Lands consent</li> <li>• Subject to Department of Planning, Land and Heritage amending the Management Order land purpose and power to lease/license.</li> <li>• The Shire cannot guarantee against interruptions to Quiet Enjoyment. It has the care, control, and management of the Premises along with other property, roads, and reserves in the vicinity of the Premises that may require essential works to be</li> </ul>

	<p>undertaken from time to time that may impact on the Tenant's business. Restrictions (not limited to):</p> <ul style="list-style-type: none"> <li>○ disruption or closure of roads, reserves and road reserves;</li> <li>○ pedestrian movement and access;</li> <li>○ vehicle movement, access and parking;</li> <li>○ vibration and noise; and</li> <li>○ dust and dirt.</li> </ul> <p>As a result, the Shire or its agents and contractor works will not be considered as having breached the Tenant's "quiet enjoyment" of the Premises and the Shire will not be liable to compensate the Tenant.</p>
<b>Indemnity</b>	<p>The Tenant indemnifies the Shire and the Minister for Lands against all losses which the Shire/Minister for Lands suffers or incurs in connection with any damage, loss, injury or death arising directly or indirectly from the construction, installation or carrying out of the development/works.</p>

Once an agreement is in place between the Shire and Pure Mechanical for the relocation of parked vehicles, Shire officers will explore various options for the verge opposite the Paraburdoo Men’s Shed to be closed-off to prevent vehicles being parked in that location. Options include barriers and/or garden beds or other suitable verge treatments to deter vehicles parking in the area. Budget will be allocated at that time.

**Consultation**

- Department Planning, Lands and Heritage
- Planning Services
- Ranger Services
- Infrastructure Services
- Pure Mechanical

**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                                      2 Incorporate appropriate planning controls for land use planning and development.

**Council Policy**

Nil

**Financial Implications**

Current Financial Year

If agreement is endorsed by all relevant parties and an executed lease/license commences prior to end of financial year, it would generate the lease/license fee as income at \$1,820+GST per annum plus annual CPI rent increases. The rental figure is in accordance with a licensed valuation obtained on 23 August 2023.

Future Financial Year(s)

Annual lease/license fee income as above plus rates income for the land.

The Shire would no longer be required to maintain the reserve if agreement is executed as this would be the responsibility of Pure Mechanical for up to 10 years.

There may be budget implications to undertake some form of verge treatment in future years to ensure the current verge is no longer being used for parking.

**Legislative Implications**

Section 3.58 of the *Local Government Act 1995* (Disposing of Property)

Any private treaty negotiations to lease will be required to comply with section 3.58 of the *Local Government Act 1995*, such as the advertising of the lease and valuation for a period of no less than two weeks inviting submissions.

*Shire of Ashburton Parking and Parking Facilities Local Law 2013* – 6.9 Stopping on verge

(2) Subclause (1)(a) does not apply to the person if he or she is the owner or occupier of the premises adjacent to that verge, or is a person authorised by the occupier of those premises to stop the vehicle so that any portion of it is on the verge.

**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)	Cars continue to be a nuisance and complaints continue to be submitted for the area.	Possible (3)	Minor (2)	Low (1-4)	Enter into lease/license agreement to allow Pure Mechanical to utilise parking option at Lot 52 in order to mitigate safety risk from parked vehicles on Gregory Way.

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 Proposed License of Lot 52 Gregory Way, Paraburdoo WA, Council,

1. Approves the lease/license of Lot 52 Gregory Way, Paraburdoo, subject to the approval from the Minister for Lands amending the existing Management Order and consenting to the Crown lease/license.
2. Approves in principle, and subject to advertising under section 3.58 of the *Local Government Act 1995*, a new lease/license over Lot 52 Gregory Way, Paraburdoo to Pure Mechanical for a term of up to five years with one five-year option at the Tenant's discretion, commencing upon execution.
3. Requests the Chief Executive Officer the publication of the local public notice of the intention to dispose of Lot 52 Gregory Way, Paraburdoo in accordance with section 3.58 of the *Local Government Act 1995*.
4. Authorises the Chief Executive Officer to:
  - (a) Consider any public submissions regarding item 3 above, noting that elected members will be informed of the result of the public consultation period, and
  - (b) Negotiate further commercial lease/license terms and engross all documentation and comply with all applicable legislation as is required to effect item 1 and 2; and
5. Notes the Chief Executive Officer will explore verge treatment options for the verge identified as the main offending location of parked vehicles.

## 12.4 Onslow Airport - Runway Options Considerations

<b>File Reference</b>	tt06
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	M Walsh, Manager Airport Services
<b>Authorising Officer</b>	K Donohoe, Chief Executive Officer
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 14 February 2023 - Item 11.2 – 011/2023 Ordinary Council Meeting 14 March 2023 - Item 11.4 – 034/2023
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Conceptual Layout Plan <a href="#">⇒</a></li> <li>2. Design Brief <a href="#">⇒</a></li> <li>3. Terminal Expansion Concept and Briefing <a href="#">⇒</a></li> <li>4. Terminal Concept Design Estimate <a href="#">⇒</a></li> <li>5. Onslow Airport Upgrade Cost Estimate <a href="#">⇒</a></li> </ol>

### Report Purpose

Council is required to consider the investment and runway options needed to enable Onslow Airport to be compatible and compliant to service the new generation of aircraft replacing the Fokker 100's.

The purpose of this report is to provide Council with high-level brief identifying available runway and terminal investment options.

Council is requested to decide on a course of action to facilitate the necessary upgrades to the runway and terminal building to avoid any disruption to airport operations.

### Background

The Runway pavement at Onslow Airport is nearing the end of its 'useful life' resulting in the pavement strength rating being lower than what is required for unrestricted operations of the Fokker F100. The pavement's remaining life is calculated to be approximately one year before maintenance levels will start to increase. Continuing F100 operations after that time without doing any improvements will quicken the deterioration rate resulting in the runway not meeting industry standards.

While lighter aircraft could be used to prolong the operating life of the runway, it is unlikely to be a suitable option due to the smaller seat capacity, limited aircraft availability and slower speeds of the lighter aircraft and increased slot requirements at Perth Airport.

Furthermore, the Fokker F100 aircraft is nearing retirement over the next 2-5 years and the likely replacement aircraft types are heavier / larger aircraft (Boeing 737-700 and Airbus A320) requiring not only a stronger pavement but also a longer runway length to operate unrestricted due to its increased weight.



Without investment in the runway at Onslow Airport there is significant risk that future operations at the airport will be restricted, and community and industry may seek alternative airports for their air services – thereby significantly reducing connectivity and inbound investment in the Onslow region.

In October 2022 Aviation Consultancy Group (ACG) were engaged to undertake a feasibility study to review the suitability of the aerodrome to receive larger/heavier aircraft. From there additional engineering assessments and studies have been undertaken to narrow down runway capabilities and options.

In June 2023 Price Waterhouse Cooper (PWC) were engaged to develop a high-level business case to outline the investment needed to upgrade infrastructure at the airport and update the airport master plan to reflect the future vision of airport over the next ten to twenty years. A strong business case and airport master plan are needed to demonstrate to stakeholders the need for investment. The business case and master plan are currently being drafted with a completion date of 31 October 2023.

Proposed Future Fleets

Existing aircraft used for regional services are nearing retirement age with certain fleet replacement commencing from 2023.

The A220, A320 and B737 is likely to be used most by Qantas and Virgin as they progress through their fleet upgrade. These replacement aircrafts are significantly heavier than the current F100 that is used in Onslow. For example, the B737/700 is 35,000kg heavier than the F100.

Note: Maximum Take-Off Weight (MTOW) is the maximum mass, defined by the aircraft manufacturer at which the aircraft is certified to take off. It includes passengers, cargo, dry operating weight of the aircraft and total fuel.

Aircraft	F100	B717	ATR72	Embraer	A220	A320	B737
<b>Airlines</b>	Alliance  Virgin Qantas (Pending retirement)	Qantas (Pending Retirement)	Hevilift	Airnorth Qantas Alliance	Qantas replacing B717, B737) 20-94 units, delivery from end 2023	Qantas Virgin	Virgin replacing F100  Qantas some to be replaced by A321
<b>Seats</b>	100	110-125	70	100	127	180	176
<b>MTOW</b>	45,000kg	52,000kg	51,000kg	51,800kg	63,000 kg –70,000kg	77,000kg	80,000kg
<b>Take Off length</b>	1,700m – 1,825m	1,905m – 2,100m	1,400m – 1,500m	2,100m	1,500m	1,800m – 2,190m	1,800m – 2,200

Note: the take-off lengths in the above table only outline typical distances needed for the aircraft to take off in a ‘perfect’ scenario. Terrain, obstacles, and weather conditions (particularly heat) are elements that also determine the runway length required for an aircraft to safety take off. For example, air is less dense and generates less lift in extreme heat, planes have a tougher time producing lift and require more runway to get up to speed and climb safely.

## Comments

While the runway options assessment is being considered in a formal Business Case submission to the State government (as State funding is likely to be requested) and stakeholders of the airport, this report is an initial high-level brief of the available runway investment options for Councils consideration given Council will need to approve this expenditure.

It is expected further consultations with CASA, airlines, industry partners, as well as investment analysis is required to understand the risks and to narrow down to a preferred option. As such, to ensure the long-term availability of air services to the Onslow community and industry, the Shire of Ashburton is required to evaluate the merits of the potential runway investment options.

### Runway Investments Options

Three runway investment scenarios have been considered each enabling different capabilities, long term strategic and operating impacts at Onslow Airport.

Note: Payload is the weight of passengers, cargo and baggage. Max Take-off Weight is the max total weight of the aircraft when its ready for take-off at the runway. It includes passengers , cargo, dry operating weight of the aircraft and total fuel.

Note: Restricted flights occur when an aircraft is unable to carry its maximum payload due to weight limitations. Several factors influence weight restrictions. The primary factor is the aircraft's MTOW others include length of runway, altitude of airport, temperature, wind speed and the aircraft's performance capabilities. Weight restrictions are met by reducing passenger numbers, limiting cargo or carrying less fuel.

**Base Case** ('do nothing') scenario is where no pavement improvements or runway lengthening works are performed - limiting the ability to fly the F100 beyond [12] months. This option will result in increased maintenance issues, runway becomes unsafe and does not meet industry standards.

**Scenario One** outlines no change to the runway length with only an investment made to strengthen the pavement to enable heavier aircraft to operate but underweight restricted conditions would apply to the new proposed aircraft.

**Scenario Two** contemplates an upgraded runway with a length of 2,200m. This is the typical length required to achieve the certified MTOW for a B737-700 & A320 aircraft. However, when Onslow experiences high temperatures aircraft restrictions would apply.

**Scenario Three** contemplates an upgraded runway with a runway length of 2,460m. For unrestricted long-haul flights, a runway length of 2460m is required as the high temperatures experienced at Onslow could potentially effect impact aircraft operational performance.

A runway length of 2,460m will future proof Onslow Airport enabling it to be ready for the next phase of aviation changes and aircraft Fleets beyond the B737/700 and A320's. In addition to that, opportunity cost benefits have been identified such as;

- (a) Ability to fly a FIFO workforce directly from interstate when considering significant develops for Onslow.

Note: Perth Airport is already congested with limited slot times.

- (b) Further secondary logistics supply base for Department of Defence.
- (c) Seen as an economic airport to operate from, with development opportunities available i.e., air freight.
- (d) A longer runway provides a higher safety level for aircraft to operate at.

Note: A recent study released by Australian Resources and Energy Employer Association (AREEA) - Resources and Energy Workforce Forecast 2023-2028, forecasted between 2023 -2028 new WA resource projects will require new operating workforce estimated around 12,800.

**Scenario Two and Scenario Three** also include a secondary option to extend the width of the runway pending CASA evaluation of the grandfathering requirements for the runway width\*. These options are only required if CASA deems that the widening of the runway is required for safety purposes.

Note - CASA requires a minimum runway width of 45m to operate the B737 and A320 aircraft. Typically, if a material change to the runway length is made it is required that the width of the runway also be changed to meet the minimum requirements to accommodate these larger aircraft types. The width of Onslow Airport’s runway is 30m. However, there are certain grandfathering arrangements which allow existing airports to retain a narrower width – this requires CASA assessment and approval.

The Manual of Standards Part 139 - Aerodromes (MOS Part 139) is the current legislative instrument that sets out the standards for certified and registered aerodromes. In August 2020 the 139 MOS was revised. The revision included changes to standards and design. Grandfathering provisions were put in place for Onslow Airport.

Grandfathering allows the operator of an existing certified, or an existing registered aerodrome, to maintain their aerodrome facility and the OLS of an existing runway, to the standard that applied:

- at the time the facility was constructed, or
- if the facility had been replaced or upgraded since it was constructed, to the standard that applied to the facility at the time it was replaced or upgraded.

A conceptual layout and pavement design brief is available in Attachment 1 and 2.

Key Considerations (indicative assessment)

Several considerations have been evaluated against the various Scenarios including a ‘Do Nothing’ case to highlight the need for investment.

Key Considerations	Comments
<b>Airport Operating and Financial Considerations</b>	
Ability to operate with next upcoming generation of fleet unrestricted	Ability to operate aircraft unrestricted (without weight limitations) is aided by having a longer runway.
Ability to minimise construction disruptions	A longer construction period will cause disruptions to operations. However, this can be mitigated by performing works outside of airport operation times.
Ability to for the Airport to recover the capital investment	Cash flow analysis is required to understand recoverability. Revenue is dependent on the ability of the investment to attract additional flights (i.e., East Coast) and investment for the higher cost options may not be fully recovered over asset life.

<b>Strategic Airport Considerations</b>	
Ability to have industry support for investment	Base Case is not acceptable to industry. Scenario One may require restricted aircraft operations which may reduce seat capacity, as compared to Scenarios Two and Three which are likely to operate flights unrestricted.
Ability to cater for flights from the East Coast	Longer runway is needed for East Coast flights due to higher fuel and aircraft size (weight) requirements
Ability to take cargo / military services	Longer runway enables these services due to aircraft requirements.
<b>Safety Considerations</b>	
Ability for runway width to be grandfathered	Activities which materially alter the runway are less likely to have width grandfathered.
Ability to provide sufficient distance to manage obstacles (i.e. crane)	Longer runway allows greater margin of safety for take-off and landing.

Key Risks

Stakeholder involvement is required to address key risks, particularly as risks relating to safety may narrow down the available investment options.

<b>Engagement / activity</b>	<b>Risk</b>
<p><b>CASA Engagement</b> required to understand:</p> <ul style="list-style-type: none"> <li>Grandfathering requirements for width.</li> <li>Minimum runway length to avoid obstacle at rwy 21.</li> </ul>	<ul style="list-style-type: none"> <li>Increase of runway width from 30m to 45m will materially increase cost.</li> <li>Increase of minimum runway length will materially increase cost.</li> </ul>
<p><b>Airline Engagement</b> required to understand:</p> <ul style="list-style-type: none"> <li>Minimum runway length acceptance for design aircraft (B737-700 &amp; A320).</li> </ul>	<ul style="list-style-type: none"> <li>Without formal airline support there is a higher risk that runway specifications are not suitable for airlines to operate for the conditions required at Onslow Airport.</li> </ul>
<p><b>Industry, State Government and Federal Government Engagement</b> to understand:</p> <ul style="list-style-type: none"> <li>Funding commitments and limits.</li> </ul>	<ul style="list-style-type: none"> <li>Funding commitments by industry and State not secured &amp; the Federal grant application (for terminal development) is pending and not confirmed.</li> <li>Funding gaps could expose the Airport / Shire to higher debt.</li> </ul>
<p><b>Investment recovery considerations:</b></p> <ul style="list-style-type: none"> <li>To perform financial assessment against various demand and capex scenarios to ensure the whole of life recoverability of the investment by the Airport.</li> </ul>	<ul style="list-style-type: none"> <li>Without detailed financial analysis there is a risk that the Airport may have insufficient funds to maintain cash reserve balance needed to repay debt, future maintenance, and operations requirements at the Airport.</li> </ul>

Neighbouring Airports

Key public airports that are near Onslow Airport have runway lengths exceeding 2,100m.

<b>Airport</b>	<b>Onslow Airport</b>	<b>Karratha Airport</b>	<b>Port Hedland Airport</b>	<b>Learmonth Airport</b>	<b>Paraburdoo Airport</b>
<b>Runway Length</b>	1,900m	2,280m	2,500m	3,047 Also used by ADF	2,132m
<b>Runway Width</b>	30m	45m	45m	45m	45m
<b>Elevation</b>	23ft / 7m	32ft / 10m	33ft / 10m	19ft / 6m	1,406ft / 429
<b>Aircraft Types Unrestricted Operations</b>	F100 & smaller	B737/800 A320 F100	B737/8 A320 F100  Note: accepts international flights	B737/8 A320 F100  military aircraft	B717 F100 Q400 Note: runway overlay proposed by Rio Tinto

Terminal Expansion

The expansion of the Onslow Airport terminal is necessary due to the change in aircraft and increased passenger numbers. The new proposed aircraft have a seating capacity of 128-178 passengers, representing a 30% -78% increase beyond the design capacity of the existing terminal. The Onslow airport terminal was designed and constructed to accommodate a single Fokker 100 aircraft with 100 arriving and 100 departing passengers.

In addition to the proposed increase in passenger numbers, there have been significant changes in the screening requirements at Onslow Airport. Mandatory body scanners have been introduced, and there is a probable transition to CT scanning for carry-on luggage. A CT scanner is the latest in X-Ray scanning equipment to enhance threat detection capabilities for carry-on luggage. The new technology eliminates the need for passengers to remove laptops and aerosols and eliminates explosive trace detection. However, the automated equipment for this new technology requires significantly more space than the current screening equipment, which cannot fit into the existing terminal's screening area.

It had been identified the criteria for the terminal expansion would be well suited to the Growing Regions Funding Program. An application has been submitted for round one – expression of interest (EOI) on the 31 July 2023. Approval and assessment of EOI's is expected to take approximately 12 weeks, from there successful applicants will be required to submit a full business case by the end of December 2023. Included in the EOI was a detailed project description with key activities, a concept design and cost estimate. The cost estimate for the project was \$4,166,000. Refer to Attachment 3 and Attachment 4

The objective of the proposed terminal expansion design is to achieve the optimum level of service by providing sufficient space to accommodate the necessary functions in a comfortable environment” with “acceptable processing and waiting times”. It will accommodate arriving and departing passengers, including meters and greeters, without congestion or delays. The design will comprehensively meet the functional requirements of airlines, ground handlers, concessionaires, leases, and stakeholders. This will enhance economic returns for the airport owners and ensure smooth passenger flow. Additionally, Changes to the National Construction Code in February 2019 have mandated the inclusion of an Accessible Adult Change Facility.

This facility caters to individuals with high support needs and their carers, providing necessary space, assistance, and specialized equipment to ensure safe and comfortable use of toilets.

**Consultation**

Chief Executive Officer  
 Department of Transport  
 Price Waterhouse Cooper  
 Aviation Consultancy Group

**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	3.2 Aviation transport opportunities for the community
Strategy	4 Promote opportunities for air services, aviation facilities, associated businesses, and future expansion.

**Council Policy**

ENG09 Asset Management Policy

**Financial Implications**

Current Financial Year

A copy of indicative costs has been provided in Attachment 5. The early-stage estimate provides cost scenarios for five upgrade scenarios.

Funding discussions have already commenced with major stakeholders on the airport including Department of Transport.

While the 2200m runway is the regional standard a runway length of 2460m opens other opportunities making Onslow Airport a competitive airport with the ability to explore and encourage new business prospects.

The difference in cost to extend the runway by and extra 260m is in the vicinity of five million dollars.

Future Financial Year(s)

Nil

**Legislative Implications**

*Civil Aviation Act 1988*

*Civil Aviation Safety Regulations 1998*

Part 139 (Aerodromes) Manual of Standards (MOS 139)

**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)	Airport not meeting Council's vision for the community, resource sector, local business and Tourism.	Almost Certain (5)	Major (4)	Extreme (17-25)	Continue preliminary planning, prepare detailed business case, continue to seek funding for upgrade and /or expansion
Reputation (social/community)	Runway pavement is no longer suitable for existing or heavier aircraft, resulting in smaller aircraft being used	Almost Certain (5)	Major (4)	Extreme (17-25)	Continue preliminary planning, prepare detailed business case, continue to seek funding for upgrade and /or expansion
People	Loss of RPT services. Community will no longer be able to access air travel as aircraft are smaller & only reserved for resource company employees	Likely (4)	Major (4)	High (10-16)	Continue preliminary planning, prepare detailed business case, continue to seek funding for upgrade and /or expansion
Financial impact	Not upgrading the runway will result in loss of air traffic resulting in a loss of income.  Increase runway maintenance costs	Almost Certain (5)	Major (4)	Extreme (17-25)	Continue and finalise detailed analysis and business case to meet funding timeframe with DOT.  Continue financial discussions with stakeholders of the airport.
Compliance	Runway will not meet the standards specified in the MOS 139 regulations.  Runway Specifications are not suitable for airlines to operate for the conditions required at Onslow airport	Almost Certain (5)	Major (4)	Extreme (17-25)	Continual monitoring of runway,  Biannual specialised technical inspections.  Continuous airline & industry engagement

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be medium based on the measures already in place and implemented, such as the drafting of airport business case and master plan, and funding negotiations.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That with respect to Onslow Airport – Runway Options Consideration, Council,

1. Authorise the Chief Executive Officer to continue sourcing additional funding streams.
2. Instruct the Chief Executive Officer to develop a cost-benefit analysis on the opportunity costs of developing a 2200m runway versus a 2460m runway and report back to Council.



## 13 Corporate Services Reports

### 13.1 Monthly Schedule of Accounts Paid - July 2023

<b>File Reference</b>	FM03
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	T Dayman, Manager Finance
<b>Authorising Officer</b>	D Kennedy, Director Corporate Services
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	1. Schedule of Accounts Paid - July 2023 <a href="#">⇒</a>

#### 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 July 2023,
- Trust Fund Payments for July 2023, and
- Corporate Credit Card Reconciliations for June 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	2,082,904.25
BPay	43,014.35
Superannuation / Payroll (Direct Debits)	210,420.96
Cheques	90.90

Credit Cards	5993.48
Bank Fees and Charges	2357.13
<u>Municipal Fund Total</u>	2,344,781.07
<u>Trust Fund</u>	
Electronic Funds Transfers	0.00
<u>Trust Fund Total</u>	0.00

**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 July 2023, as included at Attachment 1.

### 13.2 Monthly Financial Statements - July 2023

<b>File Reference</b>	FM03
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	T Dayman, Manager Finance
<b>Authorising Officer</b>	D Kennedy, Director Corporate Services
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	1. Monthly Financial Report July 2023 <a href="#">⇨</a>

#### 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 July 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 2023/2024 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 July 2023, as included at Attachment 1.

## **14 Infrastructure Services Reports**

Nil

## 15 Community Development Reports

### 15.1 Acceptance of Community Support Grant Allocations Round 1 2023/2024

<b>File Reference</b>	GS01
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	T Staley, Coordinator Communities East
<b>Authorising Officer</b>	C McGurk, Director Community Development
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	Nil

#### Report Purpose

Council is required to consider the Community Support Grants in accordance with Council Policy – Community Donations, Grants and Funding.

The purpose of this report is to provide the applications to Council for review. At the close of the application period 19 applications were received for Community Support Grants as provided to Councillors under separate cover.

Council is requested to support the recommended outcome for each application submitted.

#### Background

The Shire provides Community Support Grants in accordance with Council Policy – Community Donations, Grants and Funding. The grants are offered in two funding rounds each year in July and February. These grants are similar in purpose to Small Assistance Donations however they offer a value up to \$2,500 and applications are considered by Council.

Council Policy – Community Donations, Grants and Funding requires as a minimum, that the following criteria must be met to be successful:

- Applicant is to reside or operate within the Shire or be able to show a direct and substantial benefit to residents within the Shire.
- Assistance is not available retrospectively.
- Funds are to be used only for the purpose for which they are given or via agreed variations.
- Successful applicants are required to complete an acquittal report and submit this to the Shire within three months of the agreed completion date.
- Applicants who do not submit an acquittal will not be considered for future funding and may be requested to return unused funds.

**Comments**

The Community Support Grant funding was promoted directly to clubs and organisations via email, public notice boards, the Shire website, and social media platforms.

At the close of the July 2023 (Round 1), 19 applications were received, as follows:

- Onslow – two (2) applications
- Pannawonica – three (3) applications
- Paraburdoo – four (4) applications
- Tom Price – ten (10) applications.

All applications have been assessed on the:

- criteria outlined in Council Policy – Community Donations, Grants and Funding,
- general conditions, and
- criteria and compliance information provided.

The table below provides a summary of the applications received.

Town	Name of Organisation	Purpose of Grant	Amount Requested	Proposed Action
Tom Price	Tom Price Community Arts & Cultural Centre	Support stage one of an art installation project involving engaging a mosaic artist to run a community workshop to design and implement the installation of a mosaic fire pit. <i>Reason – complies with policy as requesting funding to assist with a community-based activity.</i>	\$2,500 (cash)	Approve
Tom Price	Tom Price Touch Association	Support for a social touch rugby tournament, providing a platform for senior and juniors as well as assisting in getting more people qualified for the association and running a ‘have a go day’ to increase engagement with a wider demographic of kids. <i>Reason – complies with policy as requesting funding to assist with a community-based program.</i>	\$2,027 (cash)	Approve
Paraburdoo	Paraburdoo Basketball Association	Support Paraburdoo Basketball to hold multiple 3x3 Hustle events to bring the community together by providing more accessible opportunities to engage in sport and have a healthy lifestyle. <i>Reason – complies with policy as requesting funding to assist with a community-based program.</i>	\$2,500 (cash)	Approve



Town	Name of Organisation	Purpose of Grant	Amount Requested	Proposed Action
Tom Price	Tom Price Gymnastics	<p>Training for gym coaches to support their sense of belonging and purpose within the community and enable more classes to be held, increasing families access to sports in the community.</p> <p><i>Reason – complies with funding community development through training courses.</i></p>	\$2,500 (cash)	Approve
Tom Price	AWARE group	<p>To establish a special needs Toy Library program for families with special needs children to access from the new space AWARE have been gifted by Rio Tinto. Allowing families to trial various sensory toys and equipment.</p> <p><i>Reason – does not comply with policy as request is for club equipment.</i></p>	\$2,500 (cash)	Decline
Pannawonica	Pannawonica Kindy Gym	<p>New trampolines, a slide and swing.</p> <p><i>Reason – does not comply with policy as request is for club equipment.</i></p>	\$2,500 (cash)	Decline
Tom Price	Townsite Eagles	<p>To cover the cost of trophies.</p> <p><i>Reason – does not comply with policy as funding is not available retrospectively.</i></p>	\$480 (cash)	Decline
Pannawonica	One Tree Community Services	<p>Outdoor play equipment to enhance physical development, stimulate imagination and promote social interaction.</p> <p><i>Reason – does not comply with policy as request is for club equipment.</i></p>	\$2,500 (cash)	Decline
Tom Price	Tom Price BMX Club	<p>Supporting a project for an external coach to deliver a BMX coaching clinic for club riders that is inclusive and provides the opportunity for all riders to participate.</p> <p><i>Reason - Project dates listed 12-13 August 2023 which requires retrospective funding and against policy criteria.</i></p>	\$2,500 (cash)	Decline
Tom Price / Paraburdoo	Ottis Media Group Inc	To provide vital equipment to support the health and wellbeing	\$2,500 (cash)	Decline

Town	Name of Organisation	Purpose of Grant	Amount Requested	Proposed Action
		<p>of disadvantaged, vulnerable children in Tom Price and Paraburdoo programs run through Earbus, ear health services to Aboriginal and at-risk children.</p> <p><i>Reason – does not comply with policy as request is for club equipment.</i></p>		
Paraburdoo	Karingal Neighbourhood Centre	<p>Install a panel of glass and a secure doorway into the office and administration area of Karingal Neighbourhood Centre to enhance security for staff and make it safer and aid in keeping confidential documents safe.</p> <p><i>Reason – does not comply with policy as request is for general maintenance of facility.</i></p>	\$2,500 (cash)	Decline
Onslow	St John WA	<p>Purchase a robotic vacuum cleaner for the volunteers to be able to clean the sub-centre more efficiently.</p> <p><i>Reason – does not comply with policy as request is for general maintenance of facility.</i></p>	\$2,498 (cash)	Decline
Paraburdoo	Paraburdoo Men’s Shed	<p>Replacement of old computer that no longer works so the Men’s shed has technology that allows community members to watch movies together, access information and technical support for their chosen online projects.</p> <p><i>Reason – does not comply with policy as requesting purchase of club equipment, recommend offering Shire of Ashburton computer through Disposal of Property Policy..</i></p>	\$1,796 (cash)	Decline
Onslow	Onslow Occy’s Swimming Club	<p>To cover the 2023/2024 swimming season pool lane hire fees. The Occy’s Swim Club has seen an increase in registered youth members and provides a platform to enhance water safety and promotes a healthy lifestyle.</p> <p><i>Reason – does not comply with policy as requesting facility hire for local competition.</i></p>	\$1,500 (in-kind)	Decline

Town	Name of Organisation	Purpose of Grant	Amount Requested	Proposed Action
Paraburdoo	Paraburdoo Branch Sporting Shooters Association of Australia	Purchase of clay target shoot vests with the Shire logo on the back of the vests. This is part of preserving the history. <i>Reason – does not comply with policy as requesting purchase of club equipment/uniform.</i>	\$2,351 (cash)	Decline
Tom Price	North Tom Price Primary School P&C	Purchase of a Masterkidz Stem Wall and accessories to be made available to the students at North Tom Price Primary School. This provides an opportunity to provide accessible and inclusive activities outside of sports for kids to engage with at recess. This is a good rainy day activity option. <i>Reason – does not comply with policy as requesting purchase of club equipment.</i>	\$2,310 (cash)	Decline
Tom Price	Tom Price Sporting Shooters Association	Grading of the access road and rifle range. <i>Reason – does not comply due to assistance for general maintenance of land, refer funding to be expended from Community Group Compliance Contributions budget allocation</i>	\$2,500 (cash)	Decline
Pannawonica	Pannawonica Primary School P&C Association Incorporated	Getting new and updated sports equipment to encourage children to be physical while at school. Supporting mental health, fitness and overall friendships while playing sports together. <i>Reason – does not comply with policy as requesting purchase of club equipment.</i>	\$2,500 (cash)	Decline
Tom Price	Nameless Playgroup	Sensory crafts, toys, and activities to encourage sensory play to provide safe spaces for children who present as neurodivergent. <i>Reason – does not comply with policy as requesting purchase of club equipment.</i>	\$2,300 (cash)	Decline

**Consultation**

- Executive Leadership Team
- Infrastructure Services Team
- Relevant clubs and associations

**Strategic Community Plan**

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	1. People - We will support opportunities for the community to be safe, socially active, and connected.
Strategic Outcome	1.2 Communities connected with opportunities
Strategy	4 Support and develop sustainable clubs and groups, providing opportunities for meaningful participation in arts, culture, sport, and recreation.

**Council Policy**

Council Policy – Community Donations: Grants and Funding provides the guidelines for the applications and the criteria for assessment.

Council Policy – Disposal of Property (other than land): offer of technical equipment valued less than \$1000 to local community groups.

Council Policy – Election Caretaker: Matters relating to the Shire entering a sponsorship arrangement are considered a major decision and would usually not be able to be considered during the Caretaker Period which commenced on 31 August 2023 however, it is recommended that consideration of this item proceeds on the basis that it complies with the policy definition for ‘extraordinary circumstances’ as it is in the best interests of the community/impacted stakeholders that the decision not be delayed.

**Financial Implications**

Current Financial Year

The adopted budget provides \$55,200 for both rounds of Community Support Grants funding.

The budget allocation for Round 1 Community Support Grants is \$20,000. The total of the applications recommended for approval is \$9052.00. If approved as recommended GL CU24075 will have \$10,948.00 remaining.

The request of \$2500 to grade the access road and Rifle Range from Tom Price Sporting Shooters Association to be expended from GL CU24115. If approved, the GL CU24115 will have \$97,500.00 remaining.

Future Financial Year(s)

Nil

**Legislative Implications**

*Local Government Act 1995*

*Section 6.7 – Municipal fund*

Money held in the municipal fund may be applied towards the performance of functions and the exercise of the powers conferred on the local government by the *Local Government Act 1995* or any other written law.

**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)	Unsuccessful applicants publicly criticise the Shire.	Possible (3)	Insignificant (1)	Low (1-4)	Ensure appropriate policy and procedures are in place and followed.  Officers to collaborate with clubs to improve future applications.

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 acceptance of the Community Support Grants Round 1 2023/2024, Council:

1. Approves the following applications:
  - (a)
  - (b) Tom Price Community Arts & Cultural Centre for the amount of \$2,025;
  - (c) Tom Price Touch Association for the amount of \$2,027;
  - (d) Paraburdoo Basketball Association for the amount of \$2,500;
  - (e) Tom Price Gymnastics for the amount of \$2,500;with the funds identified being allocated from GL CU24075.
2. Declines the following applications:
  - (a) AWARE Group – Tom Price
  - (b) Onslow Occy's Swimming Club
  - (c) North Tom Price Primary School P&C
  - (d) Nameless Playgroup
  - (e) Pannawonica Kindy Gym
  - (f) Tom Price Townsite Eagles
  - (g) One Tree Community Services – Pannawonica
  - (h) Tom Price BMX Club
  - (i) Otitis Media Group Inc
  - (j) Karingal Neighbourhood Centre - Paraburdoo
  - (k) St John WA – Onslow
  - (l) Paraburdoo Men's Shed, refer to Council Policy – Disposal of Property, to offer club technical equipment no longer used by the Shire
  - (m) Paraburdoo Branch Sporting Shooters Association of Australia
  - (n) Tom Price Sporting Shooters Association
  - (o) Pannawonica Primary School P&C Association Incorporated
3. Approves the application from Tom Price Sporting Shooters Association for \$2,500 for the grading of the access road and rifle range from the Community Group Compliance Contributions funds.

**16 Councillor Agenda Items / Notices of Motion**

Nil

**17 New Business Of An Urgent Nature Introduced By Council Decision**

## 18 Confidential Matters

### 18.1 Sector Contribution to Legal Fees to Manage Sector Industrial Relations Transition Issues

<b>File Reference</b>	PE
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	A Heraty, Manager Organisational Development
<b>Authorising Officer</b>	K Donohoe, Chief Executive Officer
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	1. WALGA Email Funding Request

#### ***Reason for Confidentiality***

<b>Section under the Act</b>	<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>
<b>Sub-clause and Reason:</b>	<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**

Council is required to approve a \$2,000 contribution towards legal fees to Western Australian Local Government Association’s (WALGA) Industrial Relations (IR) Transition Fund.

#### **Voting Requirements**

Simple Majority



**18.2 Expression of Interest Outcome - Reserve 40014 Onslow**

<b>File Reference</b>	CM09.23
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	R Wright, Executive Manager Land, Property and Regulatory Services
<b>Authorising Officer</b>	K Donohoe, Chief Executive Officer
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 4 April 2023 - Item 11.1
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Submission CMCA</li> <li>2. EOI Advertisement Document and Criteria</li> <li>3. Evaluation &amp; Recommendation Report</li> </ol>

**Reason for Confidentiality**

<b>Section under the Act</b>	<i>This matter is to be considered behind closed doors pursuant to s.5.23(2)(e) of the Local Government Act 1995 as the subject matter relates to:</i>
<b>Sub-clause and Reason:</b>	<i>“s.5.23(2)(e) a matter that if disclosed, would reveal –</i> <ol style="list-style-type: none"> <li><i>(i) a trade secret; or</i></li> <li><i>(ii) information that has a commercial value; or</i></li> <li><i>(iii) information about the business, professional, commercial or financial affairs of a person.”</i> </li> </ol>

**Report Purpose**

Council is requested to consider the outcome from a call for an Expression of Interest (EOI) to develop and lease Crown Reserve 40014 (Lot 674 Second Avenue, Onslow).

**Voting Requirements**

Simple Majority

### 18.3 Property Purchase - Onslow

<b>File Reference</b>	FIR.0306
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	R Wright, Executive Manager Land, Property and Regulatory Services
<b>Authorising Officer</b>	K Donohoe, Chief Executive Officer
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Valuation - Unit 1-5 Anketell Court</li> <li>2. Valuation - Lot 306 (5) First Avenue, Onslow</li> </ol>

#### ***Reason for Confidentiality***

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

#### **Report Purpose**

The purpose of this report is to inform Council of an opportunity which has presented itself for the purchase of two properties for staff housing and development in Onslow.

Council is requested to consider the purchase of the properties and progression of the offer to purchase, should the price offered be acceptable to the property owners.

#### **Voting Requirements**

Simple Majority

## 18.4 Building Demolition Orders - Paraburdoo and Onslow

<b>File Reference</b>	ROC.0604
<b>Applicant or Proponent(s)</b>	<ul style="list-style-type: none"> <li>• Better Builders WA/Dankenvich Investments</li> <li>• The Kitchenstown Group</li> <li>• Bennco Investments Pty Ltd</li> <li>• Rivenleigh Investments Pty Ltd</li> </ul>
<b>Author</b>	R Wright, Executive Manager Land, Property and Regulatory Services
<b>Authorising Officer</b>	K Donohoe, Chief Executive Officer
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	1. Photos - Dilapidated Houses Onslow and Paraburdoo

### Reason for Confidentiality

<b>Section under the Act</b>	<i>This matter is to be considered behind closed doors pursuant to s.5.23(2)(b) and (f) of the Local Government Act 1995 as the subject matter relates to:</i>
<b>Sub-clause and Reason:</b>	<p><i>“s.5.23(2)(b) and (f) the personal affairs of any person and a matter that if disclosed, could be reasonably expected to –</i></p> <p><i>(i) impair the effectiveness of any lawful method of procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or</i></p> <p><i>(ii) endanger the security of the local government’s property; or</i></p> <p><i>(iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety.”</i></p>

### Report Purpose

Council is required to consider the history of three properties in Onslow and one in Paraburdoo.

The purpose of this report is to inform Council of the dilapidated state of a total of four properties within the Shire of Ashburton.

Council is requested to progress the demolition of three of the four subject properties on behalf of the landowners due to non-compliance of recent Building Orders and recover the cost in accordance with relevant legislation.

### Voting Requirements

Absolute Majority

## **19 Next Meeting**

The next Ordinary Council Meeting will be held at 1:00pm on Tuesday 10 October 2023 at Clem Thompson Sports Pavilion, Stadium Road, Tom Price.

## **20 Closure Of Meeting**

There being no further business, the Presiding Member closed the meeting at [enter time](#).