



# Published Minutes

Ordinary Council Meeting

Tuesday, 19 March 2024

Date:	Tuesday 19 March 2024
Time:	2:00pm
Location:	Ashburton Hall, Ashburton Avenue, Paraboradoo
Distribution Date:	Friday 22 March 2024



**Shire of Ashburton  
Ordinary Council Meeting**

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

K Donohoe  
Chief Executive Officer  
22 March 2024

These minutes were confirmed by Council as a true and accurate record of proceedings at the Ordinary Council Meeting held on Tuesday, 19 March 2024.

Presiding Member

Date

16/4/24

**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 2:00pm.

## 1.1 Acknowledgement Of Country

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

# 2 Announcement Of Visitors

Nil

# 3 Attendance

## 3.1 Present

Elected Members:	SP A Smith Cr K White Cr R De Pledge Cr M Gallanagh Cr L Rumble JP Cr A Sullivan Cr M Lynch Cr B Healy Cr R Kapor	Shire President Deputy Shire President, Onslow Ward Ashburton-Tablelands Ward Pannawonica Ward Paraburdoo Ward Paraburdoo Ward Tom Price Ward Tom Price Ward Tom Price Ward
Employees:	K Donohoe J Sangster R Wright D Kennedy I Bishop A Johnston Tina Taylor Jack Hunter Lorrae Batten	Chief Executive Officer Deputy Chief Executive Officer Acting Director Community Development Director Corporate Services Acting Director Infrastructure Services Manager Media and Communications Manager Communities Acting Executive Manager, Lands and Regulatory Services Manager Facilities

	Gemma Taylor Jack Watson A Furfaro	Digital Communications Officer ICT Systems Specialist Governance Officer
Guests:	Nil	
Members of Public:	There was one member of the public in attendance at the commencement of the meeting.	
Members of media:	There were no members of the media in attendance at the commencement of the meeting.	

**3.2 Apologies**

Nil

**3.3 Approved Leave Of Absence**

Nil

**4 Question Time**

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

Nil

**4.2 Public Question Time**

Nil

**5 Declaration By Members**

**5.1 Due Consideration By Elected Members To The Agenda**

Elected Members noted 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 Presiding Member requested the Chief Executive Officer to read aloud the following correspondence from the Department of Local Government, Sport and Cultural Industries and noted each Councillor had been provided a copy.



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

Our ref  
Enquiries  
Phone  
Email

AB1-7-2024-25; E24026645  
Kimberley Craik  
(08) 6552 1530  
[legislation@dlgsc.wa.gov.au](mailto:legislation@dlgsc.wa.gov.au)

Mr Kenn Donohoe  
Chief Executive Officer  
Shire of Ashburton

Email: [governance@ashburton.wa.gov.au](mailto:governance@ashburton.wa.gov.au)

Dear Mr Donohoe

I refer to your correspondence dated 13 March 2024 and advise that, in accordance with the authority delegated by the Minister for Local Government, I have approved your application, under section 5.69(3) of the *Local Government Act 1995* (the Act).

Approval is granted to Cr Kapor and Cr Lynch to fully participate in the discussion and decision making relating to the following agenda item at the Shire's Ordinary Council Meeting, to be held on 19 March 2024:

#### 18.1 – PARABURDOO COMMUNITY HUB FUNDING AGREEMENT VARIATION.

Conditions of approval:

1. *The approval is only valid for the 19 March 2024 Ordinary Council Meeting when agenda item 18.1 is considered;*
2. *The abovementioned councillors must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;*
3. *The Chief Executive Officer (CEO) is to provide a copy of the Department of Local Government, Sport and Cultural Industries (DLGSC) letter of approval to the abovementioned councillors;*
4. *The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;*
5. *The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to the DLGSC, to allow the DLGSC to verify compliance with the conditions of this approval; and*
6. *The approval granted is based solely on the interests disclosed by the abovementioned councillors, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.*

The Shire should keep in mind that under the Act, councillors are required to provide both the nature and extent of their financial interest. This should include, where possible, an approximation of the interest's financial value in dollars at the time of the declaration.

If a councillor fails to provide sufficient information in their declaration, their interests cannot be assessed correctly, and the councillor will not be considered for an approval.

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

Yours sincerely

TIM FRASER  
EXECUTIVE DIRECTOR – LOCAL GOVERNMENT

19 March 2024



The following declarations of interest are disclosed –

11/AD.2 Small Business Friendly Council Initiatives	
Name	SP A Smith
Nature of interest	Direct Financial
Interest description	I am a small business owner. My catering/food business operates within the Shire of Ashburton and recently became a member of the Pilbara Inland Chamber of Commerce and Industry (PICCI).

14.1 RFT 24.23 Maintenance Grading of Roebourne-Wittenoom Road and Pannawonica-Millstream Road	
Name	Cr M Lynch
Nature of interest	Impartiality
Interest description	My wife, Renae Lynch is the Senior Procurement Officer for the Shire of Ashburton. The Senior Procurement Officer ensures all processes and procedures required to ensure a compliant process together with a fair and equitable evaluation.

15.1 Tom Price Community Arts and Cultural Centre – Support for Proposed Freehold Transfer of Portion of UCL 524 on Deposited Plan 69942	
Name	Cr B Healy
Nature of interest	Indirect Financial
Interest description	I am currently a volunteer on the committee of the Tom Price Community Arts & Cultural Centre in the position of Chairperson.  My business From Dust Creative Arts hires the premises for the purpose of dance classes. The purchase of this land is for the benefit of the extension of another group who utilises space at the Arts & Cultural Centre - it in no way benefits either myself individually or my business who utilises a different area of the land.

15.2 Tom Price Sporting Working Group - Community Member Selection	
Name	Tina Taylor (Manager Communities)
Nature of interest	Impartiality
Interest description	My husband is the President of the Fortescue National Football League (FNFL).
Name	SP Audra Smith
Nature of interest	Direct Financial
Interest description	With regard to the matter in Item 15.2 Tom Price Sporting Working Group, I disclose that I have a business relationship with Mrs Bria Bovell. My catering/food business has provided catering services to Tom Price Netball Association where Mrs Bovell is the Secretary.

Name	SP Audra Smith
Nature of interest	Impartiality
Interest description	I have an association with Tom Price Amateur Basketball Association (TPABA). I am a committee member with TPABA and have was previously a work colleagues of Ms Felicity Guthrie - President of TPABA.
Name	Cr B Healy
Nature of interest	Impartiality
Interest description	Member of Touch Rugby of which a nominee is on the committee.
Name	Cr R Kapor
Nature of interest	Impartiality
Interest description	Volunteer involvement with various clubs, President – Tom Price swimming club. General committee – Athletics, basketball and tennis club.

18.1 Paraburdoo Community Hub Funding Agreement Variation

Name	Cr M Gallanagh
Nature of interest	Direct Financial
Interest description	My husband works for Rio Tinto, and we both have shares above the prescribed amount.
Name	Cr M Lynch
Nature of interest	Indirect Financial
Interest description	I am an employee and tenant of Rio Tinto. I am paid a salary by Pilbara Iron.
Name	Cr L Rumble JP
Nature of interest	Direct Financial
Interest description	Share holder of Rio Tinto Shares greater than \$10,000 as to local government act.
Name	SP A Smith
Nature of interest	Direct Financial
Interest description	<p>My husband is an employee of Rio Tinto and own over the prescribed amount of Rio Tinto shares.</p> <p>I am a small business owner and have had business relationship with Rio Tinto. My husband's employment with Rio Tinto provides him with subsidised housing and utilities in which I reside too.</p> <p>My business "Mari Makan" has done a one-off catering service for Rio Tinto.</p>

Name	Cr A Sullivan
Nature of interest	Direct Financial
Interest description	I and my husband hold shares above the prescribed amount. I and my husband live in subsidised housing provided by Rio Tinto. I and my husband are employees of Rio Tinto.
Name	Cr R Kapor
Nature of interest	Indirect Financial
Interest description	Husband is Rio Tinto employee. Live in company housing, reduced utilities.

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

Nil

## **7 Petitions / Deputations / Presentations**

### **7.1 Petitions**

Nil

### **7.2 Deputations**

Nil

### **7.3 Presentations**

Shire President Audra Smith, thanked Tina Mladenovic previous Councillor of the Tom Price Ward, for her contribution to Council from October 2021 – November 2023, and presented her with a plaque in recognition of her service.

## 8 Applications for Leave of Absence

### 8.1 Application for Leave of Absence

**Council Decision**            **042/2024**

**Moved**                        **Cr L Rumble JP**

**Seconded**                   **Cr M Lynch**

**That Council approve the request for Leave of Absence, for Councillors,**

- **Rory De Pledge of Ashburton-Tablelands Ward for the period from 16 April 2024 to 16 April 2024 inclusive, and**
- **Alana Sullivan of Paraburdoo Ward for the period from 16 April 2024 to 16 April 2024 inclusive.**

**For:**                    **A Smith, K White, R De Pledge, M Gallanagh, L Rumble JP, A Sullivan, M Lynch, B Healy and R Kapor**

**Against:**            **Nil**

**Carried 9/0**

## 9 En Bloc Council Resolutions

### 9.1 Agenda Items Adopted En Bloc

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

10.1.1      Minutes of the Ordinary Council Meeting held on 20 February 2024

10.1.2      Minutes of the Audit and Risk Management Committee Meeting held on 20 February 2024

10.2.1      Minutes of the Chief Executive Officer's Recruitment and Performance Review Committee Meeting held on 20 February 2024

11/AD1     Shire of Ashburton Economic and Demographic Analysis Report

11/AD3     Airlie Island Preliminary Conservation and Eco-Tourism Concept

## **10 Confirmation Of Minutes**

### **10.1 Confirmation Of Council Minutes**

#### **10.1.1 Minutes Of The Ordinary Council Meeting Held On 20 February 2024**

**Council Decision            043/2024**

**Moved                        Cr M Gallanagh**

**Seconded                    Cr R Kapor**

**That the Minutes of the Ordinary Council Meeting held 20 February 2024 (Item 10.1.1 Attachment 1) be confirmed as a true and accurate record.**

**Carried 9/0  
Resolved en bloc**

### **10.2 Receipt Of Committee And Other Minutes**

#### **10.2.1 Minutes Of The Audit And Risk Management Committee Meeting Held On 20 February 2024**

**Council Decision            044/2024**

**Moved                        Cr M Gallanagh**

**Seconded                    Cr R Kapor**

**That the Minutes of the Audit And Risk Management Committee Meeting held 20 February 2024 (Item 10.2.1 Attachment 1) be received.**

**Carried 9/0  
Resolved en bloc**

**10.2.2 Minutes Of The Chief Executive Officer’s Recruitment and Performance Review Committee Meeting Held On 20 February 2024**

**Council Decision            045/2024**

**Moved                            Cr M Gallanagh**

**Seconded                      Cr R Kapor**

**That the Minutes of the Chief Executive Officer’s Recruitment and Performance Review Committee Meeting held 20 February 2024 (Item 10.2.2 Attachment 1) be received.**

**For:                    A Smith, K White, R De Pledge, M Gallanagh, L Rumble JP, A Sullivan, M Lynch, B Healy and R Kapor**

**Against:            Nil**

**Carried 9/0  
Resolved en bloc**

## 11 Recommendations From Committee

### Economic And Tourism Development Committee Meeting held on 19 March 2024

#### AD.1 Shire of Ashburton Economic and Demographic Analysis Report

<b>File Reference</b>	ED01
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	P Hanlon, Manager Business and Economic 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>	<ol style="list-style-type: none"> <li>1. Shire of Ashburton Economic and Demographic Analysis Report 2023</li> <li>2. Shire of Ashburton Economic and Demographic Analysis Report 2023 Overview Presentation</li> </ol>

#### Report Purpose

Council is required to consider the Shire of Ashburton (the Shire) Economic and Demographic Analysis Report 2023 (Attachment 1) and the overview presentation (Attachment 2).

The purpose of this report is to provide Council with in-depth analysis of the economic and demographic trends within the Shire over the past 20 years.

Council is requested to note the findings in the report to inform future decision making and adopt the report and overview presentation as key evidence tools to inform and support advocacy initiatives.

#### Background

This report provides insights into the Shire's economic dynamics, workforce characteristics, population trends, and the impact of major projects on its development trajectory over the last twenty years. It concludes with an analysis of potential opportunities for growth going forward and challenges that may inhibit growth or diversification.

The report was prepared by .id Consulting, a demographic and data analysis firm, that work with clients across local and State governments as well as the private sector to display relevant data within defined boundaries.

The Shire currently has a subscription to .id Consulting’s online economy id and community id platforms. The content of the report has been produced using Australian Bureau of Statistics (ABS) including Census information and National Institute of Economic and Industry Research (NIEIR) data. The sources of the data provide a credibility to the report and include:

- Australian Business Register, GST Registration (2023)
- Australian Bureau of Statistics, Building Approvals (2023)
- Australian Bureau of Statistics, Regional Population Growth (2023)
- Australian Bureau of Statistics, Census of Population and Housing 2006, 2011, 2016 and 2021 estimates
- Australian Bureau of Statistics, Weekly Payroll Jobs and Wages in Australia (2023)
- Department of Employment, Small Area Labour Market (2023)
- NIEIR (National Economics), Small area estimates of employment and economic value (2023).

## Comments

The Shire's Economic and Demographic Analysis Report 2023 and overview presentation provide a number of key findings including the below for consideration:

### Economic and Demographic Overview

- The economy is dominated by extractive industries and supporting construction.
- Worker productivity is four times higher than the average for regional Western Australian workers.
- The workforce in Ashburton is characterized by a younger and predominantly male population.

### How is the economy performing?

- Employment levels in Ashburton have decreased rapidly in recent years, particularly following the completion of major gas projects like Gorgon and Wheatstone. The workforce has dropped from a peak of over 26,000 workers to an estimated 16,357 workers in 2022.
- The Shire consistently maintains one of the lowest unemployment rates in Australia, hovering around 1% for over a decade.

### What is driving conditions?

- The construction industry played a pivotal role in Ashburton's economic growth, driven by major projects.
- However, upon project completion most workers left. Worker numbers rose from an estimated 2,000 in 2011 to almost 10,000 in 2016 before falling back to 1,854 in 2022.
- Productivity has experienced exceptional growth as the operational phases of gas and iron ore projects are far less labour intensive.

### Industry competitive analysis

- Ashburton's economy is highly concentrated, with 66% of local employment in the mining industry. While it is more diverse than East Pilbara, it is less diversified than Karratha and Port Hedland.
- Even when compared to the Pilbara region, Ashburton's specialisations in oil and gas, heavy and civil engineering and metal ore mining come through.



- Smaller specialisations in terms of job numbers include agriculture (livestock farming), real estate/property management, and administrative services (mostly employment services).
- The Shire's economy is considerably under-represented in terms of health and social assistance services employment.

What are the demographic drivers?

- Since the boom in resource projects, Ashburton has consistently had a much higher level of people being present in the LGA (enumerated population within the Census) than the resident population would suggest.
- The region has a very non-local workforce and the share of the workforce residing locally has fallen between censuses. In 2016, an estimated 1 in 3 workers resided in Ashburton. In 2021, this had fallen to 1 in 4. This highlights the increasing nature of the fly in fly out (FIFO) work practices.

Future growth prospects

- Ashburton's future is still tied to the resource based industries with short to medium term demand for gas and iron ore to continue and longer term growth in critical minerals.
- Risks from global competition, potential downturns in China, regulatory changes, and competition for investment in the Pilbara region are challenges to navigate.
- Renewable energy developments offer opportunities to decarbonize high emission industries.
- The Shire's small and dispersed population base limit its capacity to compete with larger towns like Karratha and Port Hedland for commercial investment and larger essential facilities.
- Decommissioning oil and gas infrastructure presents employment opportunities for the construction sector.
- In tourism, infrastructure upgrades, nature-based/ecotourism development, indigenous tourism expansion, and targeted campaigns for FIFO workers/families present growth avenues.
- In agriculture, the exploration of irrigated agriculture in alluvial floodplains, technology adoption, and native food crops present growth opportunities.
- In education, the region has the potential for remote learning facilities, and leveraging major employers for new training facilities, focusing on relevant emerging course.
- Other areas that have the potential to support employment and economic diversity opportunities include the space and marine sectors.

## Consultation

Chief Executive Officer

Executive Leadership Team

Council – A representative from .id Consulting provided a 30 minute presentation on the key findings to Council at a briefing session held in Onslow on 20 February 2024.

**Strategic Community Plan**

Shire of Ashburton Strategic Community Plan 2022-2032

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

**Council Policy**

Nil

**Financial Implications**

Current Financial Year

The report was produced with budgeted funds in the Business and Economic Development 2023/24 Annual Budget.

Future Financial Year(s)

Nil

**Legislative Implications**

Nil

**Risk Management**

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

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Reputation (social/community)	There is a risk to Council's reputation should it not make informed decisions and advocate for identified regional priorities.	Unlikely (2)	Minor (2)	Low (1-4)	Following the officer's recommendation will ensure Council have a credible information base to inform decision making and advocacy initiatives.

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 Shire of Ashburton Economic and Demographic Analysis Report, the Economic and Tourism Development Committees recommends that Council,

1. Notes the findings in the report to inform future decision making; and
2. Adopts the report and overview presentation, as detailed in Attachments 1 and 2, as key evidence tools to inform and support advocacy initiatives.

**Council Decision**                    **046/2024**

**Moved**                                    **Cr M Gallanagh**

**Seconded**                                **Cr R Kapor**

**That with respect to Shire of Ashburton Economic and Demographic Analysis Report, the Economic and Tourism Development Committees recommends that Council,**

- 1. Notes the findings in the report to inform future decision making; and**
- 2. Adopts the report and overview presentation, as detailed in Attachments 1 and 2, as key evidence tools to inform and support advocacy initiatives.**

**For:**                    **A Smith, K White, R De Pledge, M Gallanagh, L Rumble JP, A Sullivan, M Lynch, B Healy and R Kapor**

**Against:**            **Nil**

**Carried 9/0**  
**Resolved en bloc**

**AD.3 Airlie Island Preliminary Conservation and Eco-Tourism Concept**

<b>File Reference</b>	ED01
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	P Hanlon, Manager Business and Economic Development
<b>Authorising Officer</b>	K Donohoe, Chief Executive Officer
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 11 December 2020 - Item 16.1 – 227/2020
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Airlie Island Preliminary Conservation and Eco-Tourism Concept</li> <li>2. Letter - Marine Tourism Business - Confidential</li> </ol>

**Report Purpose**

Council is required to consider the Airlie Island Preliminary Conservation and Eco-Tourism Concept (Attachment 1) as a key tourism project proposal in accordance with Council's resolved position on the Pilbara Inshore Islands Draft Management Plan 2020.

The purpose of this report is to provide Council with greater detail on the Pilbara Inshore Island Conservation and Eco-Tourism Project.

Council is requested to endorse the Airlie Island Preliminary Conservation and Eco-Tourism Concept as a key tourism project for the Shire of Ashburton (the Shire) for further development and authorise the Chief Executive Officer to engage with the Western Australian Government.

**Background**

In December 2020, Council resolved to authorise the Chief Executive Office and the Shire President to continue to investigate tourism and development opportunities for the Pilbara Inshore Island Group.

Prosperity is one of the four pillars included in the Shire's Strategic Community Plan 2022-2032, which states that we will advocate and drive opportunities for the community to be economically desirable, resilient, and prosperous. Onslow currently has a strong industrial economy with Chevron's Wheatstone and Woodside's Macedon LNG projects and Onslow Salt's operations providing employment opportunities.

The Shire is committed to securing the long-term future of Onslow by ensuring the community has the amenity, vibrancy and lifestyle in place to underpin future industry expansion.

The visitor economy is seen as a sustainable opportunity to deliver these long-term benefits to the community and to sustain a strong industry workforce.

To support this vision, the Shire adopted the positioning paper 'Onslow Towards a Visitor Economy' which highlights the visitor economy vision of the community, the actions that we have taken to date and those we plan to undertake.

Principle 2 of this document states that we will enhance the Gateway to the Mackerel Islands experience.

The Shire has received communication from a private entity who was looking to establish a marine charter business in Onslow (Attachment 2). Unfortunately, the underlying infrastructure (availability of safe commercial anchorage in Beadon Creek) is not currently in place in Onslow to make this commercially achievable.

### **Comments**

One of the priority projects of Council to be considered in the draft 2024 Priority Projects Council report is to 'Develop the Pilbara Inshore Island Conservation and Eco-Tourism Project'.

The Pilbara Inshore Islands Nature Reserve comprises over 170 islands, islets and rocks, and spans the area between Exmouth Gulf and Cape Preston. Many of the islands are protected as nature reserves, home to migratory shorebirds, marine turtles and seabirds. The islands also offer incredible tourism value.

Tourism is a key economic driver for the Shire. There were approximately 365,000 visitors to the Shire in 2019 (Tourism Research Australia, 2020), which provided an economic benefit of over \$150 million – almost 30% of the total output of the Pilbara region. The Department of Biodiversity, Conservation and Attractions (DBCA) released the Pilbara Inshore Islands Nature Reserves and Proposed Additions Draft Management Plan in September 2020 (Draft Management Plan). This has created a potential change of status for the islands, with the potential to inhibit tourism numbers by up to 36,000, at a loss of \$15 million to the local economy.

The Draft Management Plan identified that Airlie Island is one of three islands that have the most challenges for long-term management of conservation values.

The Shire is seeking to develop designated camping and day use areas on select islands such as Airlie Island to minimise camping and use outside of designated areas of higher natural values and significance, thereby reducing disturbance, abandonment of shore bird chicks and risk of introducing pests.

Airlie Island is classified as a contaminated site with an updated investigation required to understand the current levels of contamination. Recent site visits revealed that the island has introduced weed species and infrastructure not removed during oil and gas decommissioning including concrete pads, pylons and considerable portions of the bund wall.

With the level of contamination, remaining industry infrastructure and likely prevalence of invasive weeds, Airlie Island presents as a logical candidate for a locally driven and managed case study into how Eco-Tourism can assist in conservation.

Alternatively, the Shire will work with the Western Australian Government to determine the most feasible islands for greater tourism utilisation.

The Airlie Island Preliminary Conservation and Eco-Tourism Concept provides context and further information on the concept. This will be used in conjunction with the 2024 Priority Projects document to seek support of the Western Australian Government through the New Tourism Investment Committee of Cabinet to develop Airlie Island or other suitable islands accessible off the coast of Onslow as a first stage tourism project.

The Shire will develop the management plans and business cases required for investment. This will be performed in collaboration with the community and Western Australian Government.

**Consultation**

Chief Executive Officer

Executive Manager Land, Property and Regulatory Services

Department of Biodiversity, Conservation and Attractions (DBCA) – Shire officers have held positive early engagement with DBCA on the concept. Further work needs to be undertaken to understand land tenure and the level of contamination on the island to inform a detailed concept design. DBCA have also indicated that the project would require liaison with a number of State government departments including:

- Department of Transport and Pilbara Ports Authority – to investigate the requirements to install marine moorings.
- Department of Water and Environmental Regulation – to confirm levels of contamination.
- Department of Energy, Mines, Industry Regulation and Safety – to confirm the current land tenure details of past resource industry activities.

Further consultation should also be undertaken with the Australian Marine Safety Authority as the island has an operational lighthouse for marine navigation.

**Strategic Community Plan**

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	3. Prosperity - We will advocate and drive opportunities for the community to be economically desirable, resilient, and prosperous.
Strategic Outcome	3.4 Sustainable commerce and tourism opportunities
Strategy	3 Work collaboratively with tourism sector providers, Australia’s North-West Tourism and Tourism WA to increase visitor spend, and length of stay, in the Shire.

**Council Policy**

Council Policy – Tourism Support and Promotion

The Shire recognises that tourism will continue to be a major employer and contributor to the economy within the Shire of Ashburton, and that it needs to play an active role to facilitate the growth and development of tourism in Ashburton.

**Financial Implications**

Current Financial Year

The concept plan has been produced by officers internally so there is no financial impact on Council further than the budgeted staff time.

Future Financial Year(s)

Future actions and initiatives will be considered at the time of procurement.

**Legislative Implications**

Nil

**Risk Management**

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

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Reputation (social/community)	There is a risk to Council's reputation should an endorsed Priority Project not be developed further.	Possible (3)	Moderate (3)	Moderate (5-9)	Following the officer's recommendation will provide Council with a concept and pathway forward to continue developing the project.

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 Airlie Island Preliminary Tourism Concept, the Economic and Tourism Development Committee recommends that Council:

1. Endorses the Concept as a key tourism project for the Shire.
2. Authorises the Chief Executive Officer to engage with the Western Australian Government through the New Tourism Investment Committee of Cabinet to develop Airlie Island or other suitable islands accessible off the coast of Onslow, as a first stage project utilising the Concept as provided at Attachment 1.
3. Authorises the Chief Executive Officer to commence detailed project planning and development.

**Council Decision**            **047/2024**

**Moved**                        **Cr M Gallanagh**

**Seconded**                 **Cr R Kapor**

**That with respect to the Airlie Island Preliminary Tourism Concept, the Economic and Tourism Development Committee recommends that Council:**

- 1. Endorses the Concept as a key tourism project for the Shire.**
- 2. Authorises the Chief Executive Officer to engage with the Western Australian Government through the New Tourism Investment Committee of Cabinet to develop Airlie Island or other suitable islands accessible off the coast of Onslow, as a first stage project utilising the Concept as provided at Attachment 1.**
- 3. Authorises the Chief Executive Officer to commence detailed project planning and development.**

**For:**                    **A Smith, K White, R De Pledge, M Gallanagh, L Rumble JP, A Sullivan, M Lynch, B Healy and R Kapor**

**Against:**            **Nil**

**Carried 9/0**  
**Resolved en bloc**



*SP A Smith disclosed a direct financial interest in Item 6.2 (detailed in Item 5.2).*

At 2:12 pm, SP Audra Smith left the meeting.

Deputy Shire President, K White assumed the chair.

## AD.2 Small Business Friendly Council Initiatives

<b>File Reference</b>	ED01
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	P Hanlon, Manager Business and Economic Development
<b>Authorising Officer</b>	K Donohoe, Chief Executive Officer
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 12 December 2023 - Item AD.2 – 218/2023
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Shop Ashburton Campaign Proposal</li> <li>2. Whitsunday Small Business Start-Up Program Application Form</li> </ol>

### Report Purpose

Council is required to consider the Small Business Friendly Council initiatives for further implementation and further development.

The purpose of this report is to inform Council of the engagement to date with the Onslow Chamber of Commerce and Industry (OCCI) and Pilbara Inland Chamber of Commerce and Industry (PICCI) on Small Business Friendly Council initiatives for implementation and development.

Council is requested to note the Shire of Ashburton (the Shire) Business Grants Program investigation to date and endorse the recommendation to deliver the Shop Ashburton Campaign Proposal.

### Background

The Western Australian Government's Small Business Development Corporation's (SBDC) Small Business Friendly Local Government (SBFLG) initiative fosters better ties between small businesses and local government. This program acknowledges local governments that actively aid their small business communities. [Small Business Friendly Local Governments | Small Business Development Corporation](#)

Council resolved to become a Small Business Friendly Council at its meeting held 12 December 2023 (resolution 218/2023). Council also requested the Chief Executive Officer to investigate a future small business grant program and report to the next meeting of the Economic and Tourism Development Committee.

At the December 2023 Council meeting, Council also resolved to adopt the Economic and Tourism Development Priorities Workshop Outputs report (resolution 217/2023), for an initial SBFLG program to focus on the following programs:

1. Buy Local Scheme with Chambers of Commerce
2. Doing business with Council guide - encouraging and supporting small to medium enterprises to go for tenders and contracts with Council and larger businesses (video/webinar format)
3. Early notification alerts of projects coming up to enable SMEs to get prepared to plan and submit tenders etc.
4. Home based business guide
5. Sponsoring Chamber of Commerce events.

### Comments

Council officers have engaged with OCCI and PICCI to develop initial proposals for the following SBFLG initiatives for further development:

1. Shop Ashburton Campaign Proposal (Attachment 1)

The Shop Ashburton Campaign is centred on the rollout and marketing of a gift card program that can only be used at Shire participating businesses. Shire officers conducted initial market research to understand the options currently available which lead to the discovery of the Why Leave Town (WLT) model used by the City of Greater Geraldton [Geraldton | Why Leave Town](#).

OCCI and PICCI have submitted a proposal to the Shire for the delivery of the program (Attachment 1).

OCCI has conducted market research and in conjunction with PICCI recommends the WLT proposal due to its usability for all vendors, administrative support (including remote Point of Sale (POS) terminal lockdown and management) and reporting. The recommendation is to implement Generic Chip Gift Cards and Digital Gift Cards.

The Chambers of Commerce compared other options available including:

- Cards 4 All – due to the type of cards not all businesses would be able to be involved
- Manual Hard Copy Voucher – very labour intensive to administer and lag time for reimbursements to businesses.

The WLT program gift cards are unique to the businesses within the Shire who choose to participate. It is expected that the program will be open to all business located within the Shire to participate.

Whilst there are costs to participating in the program including a subscription fee and per card fee, the benefit of the program comes from an increased awareness of spending money locally (marketing) with the call to action leading to the purchase of unique Ashburton gift cards. This ensures that money stays within our community and supports local businesses in alignment with the Shire's Tourism and Economic Development Strategy.

There will be a requirement to engage with local businesses to sign them up to the program and OCCI and PICCI have stated that they are committed to promoting the program with member businesses and providing support in addition to WLT to assist member sign-up as well as being a local load-up point for the gift cards.

Funding support requested from the Shire:

- In-kind support from the Shire for all associated graphic design work, including for cards and promotional materials (a draft design has been included with Attachment 1).

- Initial seed funding to purchase program subscription that covers five years \$13,596 (incl. GST). Initial subscription includes marketing for 30 member businesses (shop-front stickers and posters), additional quantity can be purchased as needed.
- Sponsorship of initial 500 generic cards to reduce barriers to purchase, \$2,600 (incl. GST).

Total contribution from the Shire: \$16,196.00 (incl. GST).

## 2. Shire Business Grants Program Investigation

Council officers have held an initial engagement with OCCI and PICCI to investigate a Business Grants Program for the Shire.

During this engagement it was discussed that whilst there are business grants available through avenues such as State and Federal government departments, small businesses, and in particular start-up businesses, don't usually meet the necessary eligibility criteria. An overview of these grants can be found here: [Grants Assistance and Programs Register for WA industry \(www.wa.gov.au\)](http://www.wa.gov.au). The Shire currently operates the following grant programs, however they are not targeted at the business community:

- Community Support Grants
- Signature Events and Activities Grants
- Small Assistance Donations.

OCCI and PICCI see an opportunity to partner with the Shire to continue investigating our own small business grants, focusing on topics such as:

- Purchasing of new equipment
- Enhancing digital capacity
- Upgrade of facilities.

Shire officers also see the following possible grant funded initiatives as needing further investigation:

- Marketing support of tourism related businesses
- Initial seed capital for start-up businesses.

The Chambers of Commerce would like to work with the Shire to determine the best way to utilise the funds considering:

- Co-contribution from businesses
- Spread across each town in the Shire
- Eligibility criteria
- Individual grant amounts.

Shire officers have conducted an initial review of business grants operated by other local governments in Australia including Queensland's Whitsunday Regional Council Small Business Start-up Grants Program [Small Business Start-up Grants - Apply Now | Your Say Whitsunday \(whitsundayrc.qld.gov.au\)](http://whitsundayrc.qld.gov.au).

The Whitsunday Regional Council states:

The Whitsunday Small Business Start-Up Program is a Council-administered business grant fund targeting start-up business opportunities in the Whitsunday region.

It is a competitive and merit-based grant program that aims to attract entrepreneurs to undertake start-up business activities in the Whitsundays.

Successful applicants have the opportunity to receive monetary funding of up to \$10,000 (matched 50:50 by the applicant) for business-related activities in a start-up new business.

Council will ensure the successful applicants will align with our identified regional economic opportunities and will not compete with existing business.

The program aims to benefit the Whitsunday region by:

- Increasing employment
- Attracting new investment
- Increasing local supply and/or manufacturing supply chains (i.e. local import replacement, local procurement)
- Establishing new trade opportunities (local, inter-regional and/or overseas)
- Value adding to the existing Whitsunday region
- Providing circular economy benefits.

A detailed application form can be found at Attachment 3.

Given that the Shire is investigating a program that provides ratepayer funds to private enterprise, a well-developed grant guideline and application process must be developed to ensure a high level of governance is maintained. With the development of the Shire’s Economic Development Strategy 2024-2028 nearing completion, it is recommended that any proposed business grants program is aligned to this strategy to ensure that the Shire achieves strategic outcomes endorsed by Council. It is recommended that further investigation on a business grants program is conducted by Council officers following the endorsement of the Shire’s Economic Development Strategy 2024-2028.

**Consultation**

Onslow Chamber of Commerce and Industry  
 Pilbara Inland Chamber of Commerce and Industry  
 Marketing and Communications Officer

**Strategic Community Plan**

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	3. Prosperity - We will advocate and drive opportunities for the community to be economically desirable, resilient, and prosperous.
Strategic Outcome	3.4 Sustainable commerce and tourism opportunities
Strategy	2 Ensure Shire processes support the development of strong and sustainable local business opportunities.

**Council Policy**

Nil

**Financial Implications**

Current Financial Year

1. Shop Ashburton Campaign Proposal

\$14,724 plus GST covers the five year cost of the program and initial sponsorship of 500 gift cards and will be outlaid in the current financial year under budget J3101 Business Development.

2. Shire Business Grants Program

No financial contribution has currently been considered until the program has been further developed for implementation. It is anticipated that officer time and consultancy funds may be required this financial year to develop the concept further.

Future Financial Year(s)

1. Shop Ashburton Campaign Proposal

As the funding is being committed for five years upfront, future financial year spending is not currently considered. It is anticipated that officer time will be the main contribution in the future with further funding contributions, if required, to be considered at a future point in time.

2. Shire Business Grants Program

Future contributions will be considered once the program has been developed for implementation.

**Legislative Implications**

Nil.

**Risk Management**

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

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Reputation (social/community)	There is a risk to the Shire’s reputation should it not be seen to support business friendly local government initiatives adopted as a priority action.	Possible (3)	Minor (2)	Moderate (5-9)	Following the officer’s recommendation will ensure the Council is supporting adopted small business friendly local government programs.

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

**Voting Requirements**

Simple Majority

**Committee Recommendation**

That with respect to Small Business Friendly Council Initiatives, the Economic and Tourism Development Committee recommends that Council,

1. Notes the Business Grants Program investigation to date;
2. Authorises the Chief Executive Officer to continue investigating a business grants program with the Onslow Chamber of Commerce and Industry and the Pilbara Inland Chamber of Commerce and Industry following the adoption of the Shire's renewed Economic Development Strategy for future consideration;
3. Endorses the following contributions to the Shop Ashburton Campaign Proposal for delivery in partnership with the Onslow Chamber of Commerce and Industry and the Pilbara Inland Chamber of Commerce and Industry:
  - (a) In-kind support from the Shire of Ashburton for all associated graphic design work including for cards and promotional materials;
  - (b) Initial seed funding to purchase program subscription that covers five years \$13,596 (incl. GST); and
  - (c) Sponsorship of initial 500 generic cards to reduce barriers to purchase, \$2,600 (incl. GST).
4. Authorises the Chief Executive Officer to investigate the possibility of external Sponsorship, to increase seed and/or generic card purchase funding.

**Council Decision**            **0488/2024**

**Moved**                        **Cr M Lynch**

**Seconded**                 **Cr R De Pledge**

**That with respect to Small Business Friendly Council Initiatives, the Economic and Tourism Development Committee recommends that Council,**

- 1. Notes the Business Grants Program investigation to date;**
- 2. Authorises the Chief Executive Officer to continue investigating a business grants program with the Onslow Chamber of Commerce and Industry and the Pilbara Inland Chamber of Commerce and Industry following the adoption of the Shire's renewed Economic Development Strategy for future consideration;**
- 3. Endorses the following contributions to the Shop Ashburton Campaign Proposal for delivery in partnership with the Onslow Chamber of Commerce and Industry and the Pilbara Inland Chamber of Commerce and Industry:**
  - (a) In-kind support from the Shire of Ashburton for all associated graphic design work including for cards and promotional materials;**
  - (b) Initial seed funding to purchase program subscription that covers five years \$13,596 (incl. GST); and**
  - (c) Sponsorship of initial 500 generic cards to reduce barriers to purchase, \$2,600 (incl. GST).**
- 4. Authorises the Chief Executive Officer to investigate the possibility of external Sponsorship, to increase seed and/or generic card purchase funding.**

**For:**                    **K White, R De Pledge, M Gallanagh, L Rumble JP, A Sullivan, M Lynch, B Healy and R Kapor**

**Against:**            **Nil**

**Carried 8/0**

At 2:13 pm, SP Audra Smith returned to the meeting and resumed the Chair.

## **12 Office of the Chief Executive Officer Reports**

Nil



## 13 Corporate Services Reports

### 13.1 Monthly Financial Statements - February 2024

<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. Financial Statements - February 2024

#### Report Purpose

Shire officers are required to prepare 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 29 February 2024.

Council is requested to accept the Statement of Financial Activity as provided.

#### 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 regulation 34 of the *Local Government (Financial Management) Regulations 1996*, accepts the Statement of Financial Activity, and associated documentation, for February 2024, as included at Attachment 1.

**Council Decision**                      **049/2024**

**Moved**                                      **Cr M Lynch**

**Seconded**                                **Cr R Kapor**

**That with respect to Monthly Financial Statements, Council, in accordance with regulation 34 of the *Local Government (Financial Management) Regulations 1996*, accepts the Statement of Financial Activity, and associated documentation, for February 2024, as included at Attachment 1.**

**For:**                      **A Smith, K White, R De Pledge, M Gallanagh, L Rumble JP, A Sullivan, M Lynch, B Healy and R Kapor**

**Against:**              **Nil**

**Carried 9/0**

## 13.2 Monthly Schedule of Accounts Paid - February 2024

<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 - February 2024

### Report Purpose

Shire officers are required to prepare 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 February 2024,
- Trust Fund Payments for February 2024, and
- Corporate Credit Card and Payment Card Reconciliations for January 2024.

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.

A new regulation has been added to the *Local Government (Financial Management) Regulations 1996* to increase transparency and accountability in local government, through greater oversight of incidental spending. From 1 September 2023, local governments are required to disclose information about each transaction made on a credit cards, debit cards or other purchasing cards.

**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	4,500,781.40
BPay/Credit Cards	356,747.45
Cheques	0
Payroll	1,373,780.78
Bank Fees and Charges	1027.74
<u>Municipal Fund Total</u>	6,232,337.37
<u>Trust Fund</u>	
Electronic Funds Transfers	0.00
<u>Trust Fund Total</u>	0.00

**Payment Cards**

Credit Cards	9408.41
Fuel Cards – Ampol	2530.39
Fuel Cards – Viva / Shell	7015.79
Fuel Cards – Wex Motorpass	253.05
Taxi Cards – Cabcharge	0
<u>Payment Cards Total</u>	19,207.64

**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.

*Regulation 13A Payments by employees via purchasing cards*

If a local government has authorised an employee to use a credit, debtor or other purchasing card, a list of payments made using the card must be prepared each month is to be presented 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 regulation 13 and 13A of the *Local Government (Financial Management) Regulations 1996*, confirms the Monthly Schedule of Accounts Paid, including payment cards, for February 2024, as included at Attachment 1.

<b>Council Decision</b>	<b>050/2024</b>
<b>Moved</b>	<b>Cr M Lynch</b>
<b>Seconded</b>	<b>Cr M Gallanagh</b>

**That with respect to Monthly Schedule of Accounts Paid, Council, in accordance with regulation 13 and 13A of the *Local Government (Financial Management) Regulations 1996*, confirms the Monthly Schedule of Accounts Paid, including payment cards, for February 2024, as included at Attachment 1.**

**For:           A Smith, K White, R De Pledge, M Gallanagh, L Rumble JP, A Sullivan, M Lynch, B Healy and R Kapor**

**Against:     Nil**

**Carried 9/0**

### 13.3 Monthly Schedule of Accounts Paid - January 2024

<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 - January 2024

#### Report Purpose

Shire officers are required to prepare 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 January 2024,
- Trust Fund Payments for January 2024, and
- Corporate Credit Card and Payment Card Reconciliations for December 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.

A new regulation has been added to the *Local Government (Financial Management) Regulations 1996* to increase transparency and accountability in local government, through greater oversight of incidental spending. From 1 September 2023, local governments are required to disclose information about each transaction made on a credit cards, debit cards or other purchasing cards.

#### 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	4,710,660.84
BPay/Credit Cards	334,521.48
Cheques	0
Payroll	895,107.51



Bank Fees and Charges	940.21
<u>Municipal Fund Total</u>	5,941,230.04
<u>Trust Fund</u>	
Electronic Funds Transfers	0.00
<u>Trust Fund Total</u>	0.00

**Payment Cards**

Credit Cards	9,332.10
Fuel Cards – Ampol	1,954.20
Fuel Cards – Viva / Shell	8,043.61
Fuel Cards – Wex Motorpass	53.70
Taxi Cards – Cabcharge	537.25
<u>Payment Cards Total</u>	19,920.86

**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.

*Regulation 13A Payments by employees via purchasing cards*

If a local government has authorised an employee to use a credit, debtor or other purchasing card, a list of payments made using the card must be prepared each month is to be presented 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 regulation 13 and 13A of the *Local Government (Financial Management) Regulations 1996*, confirms the Monthly Schedule of Accounts Paid, including payment cards, for January 2024, as included at Attachment 1.

**Council Decision**                      **051/2024**

**Moved**                                      **Cr R Kapor**

**Seconded**                                 **Cr B Healy**

**That with respect to Monthly Schedule of Accounts Paid, Council, in accordance with regulation 13 and 13A of the *Local Government (Financial Management) Regulations 1996*, confirms the Monthly Schedule of Accounts Paid, including payment cards, for January 2024, as included at Attachment 1.**

**For:**                                      **A Smith, K White, R De Pledge, M Gallanagh, L Rumble JP, A Sullivan, M Lynch, B Healy and R Kapor**

**Against:**                                 **Nil**

**Carried 9/0**

### 13.4 2023-2024 Annual Budget Review

<b>File Reference</b>	FM14
<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. 2023-2024 Annual Budget Review

#### Report Purpose

Council is required to review its Annual Budget between 1 January and the last day of February each year.

The purpose of this report is to present to Council the outcomes of the Annual Budget review completed by Responsible Officers that includes forecast estimates and budget amendment recommendations to the end of the financial year.

Council is requested to endorse the review of the 2023-2024 Annual Budget, noting proposed amendments.

#### Background

Regulation 33A of the *Local Government Act (Financial Management) Regulations 1996* requires local governments to undertake a review of the annual budget no earlier than 31 December and no later than the last day of February in each financial year.

The review must be submitted to Council on or before 31 March each financial year.

Council should then determine (by absolute majority) whether to adopt the review, any parts of the review or any recommendations made in the review.

Additional requirements:

- The review must consider the local government's position at the date of the review and evaluate outcomes for the end of 2023-24 that are forecast in the budget.
- Provide the estimated end-of-year amount for the item adjacent to each item in the annual budget that states an amount.
- Provide an estimated end-of-year amount for any items that did not have an amount stated in the adopted annual budget.
- Provide a copy of the budget review and the budget review item from the unconfirmed Council minutes to the Department of Local Government, Sport and Cultural Industries within 14 days of the Council meeting.

Responsible Officers recently undertook a detailed Finance and Costing Review (FACR) for the current financial year, which incorporated the requirements outlined above.

The review, completed on the 29 February 2024, is based on year-to-date actual revenue and expenditure, along with any commitments, and seeks to forecast known impacts on the annual budget for the remainder of the financial year.

The budget review is intended to ensure the local government has considered the impact of budget to actual variations on the predicted adjusted net current asset position at the end of the budget year. This includes issues arising from:

- Changes in the opening surplus/deficit position between the annual budget and the audited annual financial report; and
- Changes which may have occurred or are expected to occur to revenue or expenditure or financing cashflows.

Essentially it is looking at Council’s solvency and ensuring that there are no extraordinary issues that have arisen in the financial year that will impact budget and rating considerations into the following financial year.

**Comments**

The 2023-2024 Annual Budget was adopted by Council at the July 2023 Council Meeting as a balanced budget (i.e., all revenue sources were offset by an equal amount of expense).

A review of the Annual Budget (for the first quarter of the financial year) was undertaken and presented to Council at the 12 December 2023 Ordinary Council Meeting which, although not statutorily required, is considered best practice, ensuring Council is aware of the Shire’s financial performance against budget estimates.

This further review was undertaken with year-to-date values of 29 February 2024.

Meetings with Managers, the Executive Leadership Team and the Manager Finance were held with the overall aim of achieving a \$nil impact and the continued delivery of a balanced budget.

The generally adopted practice is for identified expense savings and revenue windfalls to be offset against increases in forecast costs, with any remaining funds used towards new essential projects/services not identified in the Annual Budget.

Finally, any surplus remaining is moved to Reserve Accounts to assist with funding future priorities in accordance with the Long-Term Financial Plan (LTFP).

The table below provides an overview of the net proposed amendments for each Directorate.

The totals represent a net of Revenue, Operating Expense, and Capital Expense, as well as movements in Loan and Reserve Account balances.

<b>Directorate</b>	<b>Current Budget (Net) \$</b>	<b>End-of-Year Forecast (Net) \$</b>	<b>Proposed Amendments (Net) \$</b>
Opening Position	(18,375,227)	(19,033,008)	(657,781)
Office of the Chief Executive Officer	3,996,127	4,474,991	478,864
Office of the DCEO	13,494,769	15,046,213	1,551,444
Corporate Services	(55,638,563)	(56,005,279)	(366,716)
Infrastructure Services	30,023,513	29,963,517	(59,996)

Community Development	27,177,038	26,179,966	(997,072)
Less Non-Cash Movements	(13,534,400)	(13,534,400)	0
<b>Total</b>	<b>51,257</b>	<b>0</b>	<b>(51,257)</b>

*Income / positive budget impact is represented by brackets*

Non-cash movements, such as depreciation, profit and loss are removed from the calculations in accordance with accounting practices for local government.

The review was completed on the 29 February 2024 and provides a balanced budget to be considered by Council.

Proposed Budget Amendments

The review process identified several proposed budget amendments, and new items for inclusion in the review.

The following is a list of new items, which have been assessed by the Executive Leadership Team (totalling \$1,172,649 net), and are proposed for inclusion in the review, which are offset by reduced expense and increased revenue in other areas –

Income

- CF12004 General Purchase Grant (FAGS) \$ 63,008
- CF12005 Untied Road Grant (FAGS) \$ 9,433
- FN18007 Insurance Claims Reimbursements \$ 75,800
- RV11003 Back Rates \$ 15,833
- RV11998 Rate Write-Offs -\$ 150,000
- RV11999 Rate Adjustments \$ 54,328
- RX14039 Standpipes Revenue \$ 100,000
- RX13010 Capital Funding - Transport - Major Projects – LRCI Funding \$ 300,000

Expenditure

- DC21008 Agency Staff (Office of the DCEO) \$ 100,000
- DC22007 Minor Equipment (Office of the DCEO) \$ 5,000
- CD22007 Minor Equipment (Community Development) \$ 2,500
- CE21008 Agency Staff (Office of the CEO) \$ 12,000
- CU21004 Recruitment (Communities Support) \$ 1,006
- CV22007 Minor Equipment (Corporate Services) \$ 2,511
- DV21001 Payroll (Development Services) \$ 11,323
- FX22008 Subscriptions and Publications (Facilities) \$ 1,830
- IS21003 Compensation Insurance (ICT Services) \$ 8,732
- IS22003 Insurance (ICT Services) \$ 4,452
- LA22007 Minor Assets < \$5,000 (Land, Property & Reg. Services) \$ 3,000
- LX22008 Subscriptions and Publications (Plant – Overheads) \$ 4,430
- OV24089 Refunds (Ocean View Caravan Park) \$ 400

• PJ24075 Community Support – Recreation	\$ 1,000
• QO22008 Subscriptions and Publications (Aquatic Facility – Onslow)	\$ 255
• RX22001 Telecommunications (Roads & Civil)	\$ 1,300
• RX24072 Standpipes	\$ 85,630
• TO25303 Administration Centres	\$ 9,200
• TV22005 Postage and Freight (ICT Services)	\$ 309
• TV22008 Subscriptions and Publications (ICT Services)	\$ 167
• TV22010 Staff Amenities (ICT Services)	\$ 3,006
• CO24096 Events and Festivals (100 Years of Onslow Event)	\$ 250,000

#### Capital Expense

• AR32103 Airport Upgrade – CCTV Camera expansion	\$ 63,000
• LX30512 Plant – Transport – New Regional Waste Facility Utility	\$ 60,000
• TEMPDX1 Depot Renewal – Wash Bay Separator Upgrade	\$ 20,000
• RW30510 Plant – Regional Waste - Hooklift Truck	\$ 300,000
• RW30510 Plant – Regional Waste - Hooklift Bins 3 x 30m3	\$ 50,000
• RW30510 Plant – Regional Waste - Water Unit for Hooklift Truck	\$ 100,000
• RW30510 Plant – Regional Waste - 16tn Forklift	\$ 320,000
• RW30510 Plant – Regional Waste - Telehandler with rotating forks	\$ 200,000
• RW30510 Plant – Regional Waste – Standpipe	\$ 20,000

A comprehensive list of budget adjustments by business unit has been attached for Council's consideration.

Note 4. Predicted Variance provides a list of significant amendments exceeding \$100,000.

#### Employment costs

The original budget estimated employment costs (Salary, Wages, Allowances and Superannuation) at \$21,514,600 based on the previous organisation structure as well as consideration for trends in vacancy rates.

Shire officers have conservatively estimated, and included in the review, a reduction in employment costs of \$1,331,124 to \$20,183,475 which takes into account staff vacancies and changes to organisational structure and/or arrangements.

#### Opening Position

The budget review has taken into consideration the amended opening position of \$19,033,008, which has been certified by the Shire's auditors, being an increase of \$657,781 from the projections used for the budget.

Reserve Accounts

The additional transfers are outlined as follows:

- \$552,052 From the Airport reserve – To cover increase in Airport costs
- \$500,000 From Financial Risk Reserve – to cover increase in legal costs
- \$684,000 From Plant Reserve – to cover Regional Waste Plant Purchases
- -\$2,000,000 To Future Reserves – Seawall project withdrawal

Should Council achieve additional savings resulting in a positive 30 June 2024 closing position, the above transfers from reserves will be reviewed with the aim to retain a positive reserve balance.

A provision has been included in the Draft Long Term Financial Plan (LTFP) for the purchase of plant for the operations of the Pilbara Regional Waste Facility in 2024/2025. To ensure that plant is received in a timely manner, these plant purchase have been added to the 2023/2024 budget to enable purchasing to commence as several items have long lead times. The Plant Reserve will be replenished using the funds set aside in the LTFP.

Council remains in a sound financial position.

The annual budget review confirms that the Shire will be able to deliver a balanced position or better by the 30 June 2024.

**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	1 Provide cost-effective financial management and value for money.

**Council Policy**

[Council Policies » Shire of Ashburton](#)

Nil

## Financial Implications

### Current Financial Year

The net result of all proposed amendments in the review is \$nil.

### Future Financial Year(s)

The Pilbara Regional Waste Facility Plant Purchases have been brought forward from the draft Long Term Financial Plan to allow for the ordering and purchase of required equipment.

Additional transfers from reserves may have an impact on the Long-Term Financial Plan and Council's ability to fund projects.

## Legislative Implications

### *Local Government (Financial Management) Regulations 1996*

#### *Regulation 33A – Review of budget*

- 1) Between 1 January and the last day of February in each financial year a local government is to carry out a review of its annual budget for that year.
- 2A) The review of an annual budget for a financial year must —
  - a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
  - b) consider the local government's financial position as at the date of the review; and
  - c) review the outcomes for the end of that financial year that are forecast in the budget; and
  - d) include the following —
    - i. the annual budget adopted by the local government;
    - ii. an update of each of the estimates included in the annual budget;
    - iii. the actual amounts of expenditure, revenue and income as at the date of the review;
    - iv. adjacent to each item in the annual budget adopted by the local government that states an amount, the estimated end-of-year amount for the item.
- 2) The review of an annual budget for a financial year must be submitted to the council on or before 31 March in that financial year.
- 3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

\*Absolute majority required.



**Risk Management**

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

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Interruption to service	Potential reduction in the quality of assets provided and services delivered if the budget amendments are not adopted.	Possible (3)	Major (4)	High (10-16)	Provide Council with sufficient information for sound decision making and provide adequate resources for the continued service delivery.
Reputation (social/community)	Negative public perception if works are not completed due to funding issues.	Possible (3)	Moderate (3)	Moderate (5-9)	Provide Council with sufficient information for sound decision making and provide adequate resources for the continued service delivery.

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

**Voting Requirements**

Absolute Majority

**Officer Recommendation**

That with respect to 2023-2024 Annual Budget Review, Council, adopts the 2023-2024 Annual Budget review and notes the budget amendments, as included in Attachment 1.

**Council Decision**                    **052/2024**

**Moved**                                    **Cr M Lynch**

**Seconded**                                **Cr K White**

**That with respect to 2023-2024 Annual Budget Review, Council, adopts the 2023-2024 Annual Budget review and notes the budget amendments, as included in Attachment 1.**

**For:**                    **A Smith, K White, R De Pledge, M Gallanagh, L Rumble JP, A Sullivan, M Lynch, B Healy and R Kapor**

**Against:**            **Nil**

**Carried By Absolute Majority 9/0**

### 13.5 Gross Rental Valuation (GRV) Rating of Transient Workforce Accommodation

<b>File Reference</b>	RV01
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	D Kennedy, Director Corporate Services
<b>Authorising Officer</b>	K Donohoe, Chief Executive Officer
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 14/11/2023 - Item 13.3 – 205/2023
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. FMG - Kartajirri TWA Consultation Letter. - Confidential</li> <li>2. FMG - Kartajirri TWA Technical Land Description</li> <li>3. MRL - Yarri Village Consultation Letter - Confidential</li> <li>4. MRL - Yarri TWA Technical Land Description</li> </ol>

#### Report Purpose

Council is required to consider any submissions received during the consultation period with respect to changing the basis of rating on the Kartajirri Workers Village (FMG) and Yarri Workers Village (MRL) from unimproved valuation (UV) to gross rental valuation (GRV).

The purpose of this report is to complete the statutory process in accordance with the guidelines issued by the Department of Local Government, Sport and Cultural Industries (DLGSC).

Council is requested to approve the Chief Executive Officer making an application to the Minister for Local Government (the Minister) to change the basis of rating on both properties.

#### Background

At its meeting held 14 November 2023, Council resolved as follows:

*“That with respect to Gross Rental Valuation (GRV) Rating on Transient Workforce Accommodation, Council,*

- 1. Notes that the Kartajirri Village, operated by Fortescue Metals Group since September 2019, is not currently rated using the Gross Rental Valuation basis;*
- 2. Notes that the Yarri Mining Camp Village, operated by Mineral Resources Limited since February 2023, is not currently rated using the Gross Rental Valuation basis;*
- 3. Supports the Chief Executive Officer in commencing the gazettal process to change the method of valuation on both Transient Workforce Accommodation facilities from Unimproved Value to Gross Rental Value;*
- 4. Requests the Chief Executive Officer, to consult with the property owners to inform them of Council’s intention to make an application to the Minister for Local Government to change the basis of rating to Gross Rental Value and provide a 6-week period for them to make a submission; and*

5. *Requests the Chief Executive Officer prepare a further report to Council at the conclusion of the consultation period.”*

### Comments

FMG and MRL were advised of the proposed change in the basis of rating on the Transient Workforce Accommodation (TWA) facilities that had been developed and the indicative financial impact in early January 2024. (Attachments 1 & 3)

FMG and MRL acknowledged receipt of the correspondence.

FMG provided no feedback and MRL indicated they had no further comment at the conclusion of the consultation period.

The final step in the process is for Council to resolve to make an application to the Minister to change the basis of rating from UV to GRV and for the DLGSC to complete the gazettal process on behalf of the Minister.

### Consultation

FMG and MRL were both consulted with as per the DLGSC guidelines. No submissions were received prior to the conclusion of the consultation period.

### 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	3 Plan effectively for financial sustainability.

### Council Policy

[Council Policies » Shire of Ashburton](#)

The Application of Gross Rental Valuation to Mining, Petroleum and Resources Interests dated 1 October 2015, is a policy of the Minister containing the guiding principles for the rating of TWA.

### Financial Implications

#### Current Financial Year

Both facilities will become rateable upon completion of the gazettal process. This is expected by May 2024 and will enable interim rates for the 2023/24 financial year to be raised.

#### Future Financial Year(s)

The indicative GRV for the two facilities is \$5,850,000, which, based on the current rate in the dollar for the GRV Transient Workforce Accommodation category of \$0.17814, will generate approximately \$1,042,000 in additional rate revenue.

**Legislative Implications**

*Local Government Act 1995*

Section 6.29 – Valuation and rates on mining and petroleum interests.

Basis of rating is to be the unimproved value of the land unless the following applies:

Capital improvements for the purpose of section 6.29(2) of the Act means:

- (a) Accommodation, recreation and administration facilities and associated buildings; and
- (b) Maintenance workshops existing within 100 metres of facilities listed above; provided that these facilities have been in place for at least 12 months.

**Risk Management**

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

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Financial impact	Failure to identify rateable properties correctly therefore having a negative impact on revenue.	Possible (3)	Major (4)	High (10-16)	Review of TWA’s has been completed and processes put in place to ensure that future developments are identified in a timely manner.

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 Gross Rental Valuation (GRV) Rating of Transient Workforce Accommodation, Council,

1. Notes that Fortescue Metals Group were consulted with regards to the proposed basis of rating to apply to the Kartajirri Workers Village and that no submission was received;
2. Notes that Mineral Resources Limited were consulted with regards to the proposed basis of rating to apply to the Yarri Workers Village and that no submission was received;
3. Approves the Chief Executive Officer making an application to the Minister for Local Government to apply the Gross Rental Valuation basis of rating to the area contained within the Technical Land Description for the Kartajirri Workers Village (Attachment 2);
4. Approves the Chief Executive Officer making an application to the Minister for Local Government to apply the Gross Rental Valuation basis of rating to the area contained within the Technical Land Description for the Yarri Mining Camp Village (Attachment 4); and

5. Requests the Chief Executive Officer to take all necessary steps to commence rating both properties upon notification that the Minister for Local Government has completed the gazettal process.

**Council Decision**                    **053/2024**

**Moved**                                    **Cr R Kapor**

**Seconded**                                **Cr A Sullivan**

**That with respect to Gross Rental Valuation (GRV) Rating of Transient Workforce Accommodation, Council,**

1. **Notes that Fortescue Metals Group were consulted with regards to the proposed basis of rating to apply to the Kartajirri Workers Village and that no submission was received;**
2. **Notes that Mineral Resources Limited were consulted with regards to the proposed basis of rating to apply to the Yarri Workers Village and that no submission was received;**
3. **Approves the Chief Executive Officer making an application to the Minister for Local Government to apply the Gross Rental Valuation basis of rating to the area contained within the Technical Land Description for the Kartajirri Workers Village (Attachment 2);**
4. **Approves the Chief Executive Officer making an application to the Minister for Local Government to apply the Gross Rental Valuation basis of rating to the area contained within the Technical Land Description for the Yarri Mining Camp Village (Attachment 4); and**
5. **Requests the Chief Executive Officer to take all necessary steps to commence rating both properties upon notification that the Minister for Local Government has completed the gazettal process.**

**For:**                    **A Smith, K White, R De Pledge, M Gallanagh, L Rumble JP, A Sullivan, M Lynch, B Healy and R Kapor**

**Against:**            **Nil**

**Carried 9/0**

### 13.6 Appointment of Elected Members to Committees of Council and Working Groups

<b>File Reference</b>	GV04
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	J Bray, Manager Governance
<b>Authorising Officer</b>	D Kennedy, Director Corporate Services
<b>Previous Meeting Reference</b>	Special Council Meeting – 12 December 2023 – Item 8.1 – (197/2023) Special Council Meeting – 12 December 2023 – Item 8.2 – (198/2023) Ordinary Council Meeting - 8 August 2023 - Item 13.4 – (157/2023)
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	1. Shire of Ashburton Committees and Working Groups Booklet

#### Report Purpose

The purpose of this report is to fill the vacancies available on the committees of Council and working group.

Council is requested to appoint an elected member to the following committees of Council and working group:

- Audit and Risk Management Committee,
- Chief Executive Officer’s Recruitment and Performance Review Committee,
- Community Grants Committee,
- Economic and Tourism Development Committee, and
- Tom Price Sporting Working Group.

#### Background

Council may establish committees in accordance with the *Local Government Act 1995* to assist the Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees. Elected members are appointed to each of the committees for the term of two years following each local government elections.

Elected members were last appointed to committees at the Special Council Meeting held 25 October 2023 however, the resignation of an elected member on 27 November 2023 resulted in vacancies in all committees and one working group.

#### Comments

Elected member membership to committees of Council is at the discretion of the Council. Appointment of elected members to committees is done by way of nomination. Where the number of nominees exceed the positions available, an election will be held.

In accordance with section 5.11A of the *Local Government Act 1995*, a deputy member of a committee may perform the functions of the member when they are unable to do so by reason of illness, absence or other cause.

The details of each of the committees and the Tom Price Sporting Working Group are as follows –

Committee/Working Group	Purpose	Vacancy
Audit and Risk Management Committee	<p>In line with the <i>Local Government (Audit) Regulations 1996</i>, the purpose of the Audit and Risk Management Committee is to:</p> <ol style="list-style-type: none"> <li>1. Support Council in fulfilling its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, external audit functions and ethical accountability,</li> <li>2. Examine the audit and management reports from external audits, and ensure that the Shire of Ashburton (Shire) appropriately implements any actions, and</li> <li>3. Receive and review reports prepared by the Chief Executive Officer (CEO) in accordance with the Regulations and provide recommendations to Council on its findings and proposed actions.</li> </ol>	One member
Chief Executive Officer’s Recruitment and Performance Review Committee	<p>The purpose of the Chief Executive Officer’s Recruitment and Performance Review Committee) is to support Council in fulfilling its obligations to:</p> <ol style="list-style-type: none"> <li>1. recruit and select a Chief Executive Officer (CEO); and</li> <li>2. review the performance of the CEO at least once in relation to each year of the person’s employment, where the CEO is employed for a term of more than one year,</li> </ol> <p>in accordance with the <i>Local Government Act 1995</i>, and the adopted model Standards for CEO Recruitment, Performance and Termination.</p>	One member
Community Grants Committee	<p>The Community Grants Committee’s purpose is to receive, assess and determine applications received for grants under the Council Policy – Community Donations, Grants and Funding with the exception of Small Assistance Donations.</p>	One deputy member
Economic and Tourism Development Committee	<p>The Economic and Tourism Development Committee’s purpose is to identify strategies/opportunities that promote economic development and tourism within the Shire of Ashburton.</p>	One member

Tom Price Sporting Working Group	<p>The purpose of the Tom Price Sporting Working Group is to:</p> <ol style="list-style-type: none"> <li>1. provide guidance to sport and recreation issues within the Tom Price Sporting precinct (Tom Price Oval and Minna Oval);</li> <li>2. provide a forum for discussion of matters relating to sport and recreation within the town of Tom Price, including the identification of issues and opportunities and ensuring equitable access to sport and recreation opportunities for all members of the community; and</li> </ol> <p>provide direction on all matters relating to the clubs and facilities.</p>	One member (Tom Price Ward Councillor)
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Terms of reference for each committee and working group are detailed in the Committee and Working Groups Booklet endorsed by Council on 8 August 2023 and as shown in Attachment 1.

**Consultation**

Nil

**Strategic Community Plan**

Shire of Ashburton Strategic Community Plan 2022-2032

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

**Council Policy**

[Council Policies » Shire of Ashburton](#)

Nil

**Financial Implications**

Current Financial Year

Nil

Future Financial Year(s)

Nil



**Legislative Implications**

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

Section 5.10 of the *Local Government Act 1995* prescribes a committee is to have as its member persons appointed by the Council. Each Council member is entitled to be a member of at least one committee. If the Shire President informs the Council, they wish to be a member of a committee, the Council is to appointment them to the committee.

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

Section 5.11A of the *Local Government Act 1995* specifies obligations and duties of the deputy member of a committee.

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

**Risk Management**

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

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Compliance	Elected members not being appointed to committees of Council and represented at working groups.	Unlikely (2)	Minor (2)	Low (1-4)	Elected members requested to nominate for vacancies, as detailed in this report.

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

**Voting Requirements**

Absolute Majority



**Amended Recommendation**

That with respect to Appointment of Elected Members to Committees of Council and Working Groups, and pursuant to sections 5.10 and 5.11A of *Local Government Act 1995*, Council, appoints the following elected members to the following committees and working group, for the term of 19 March 2024 to 18 October 2025 -

1. Audit and Risk Management Committee
  - (a) Cr R De Pledge (one member)
2. Community Grants Committee
  - (a) Cr R Kapor (one deputy member)
3. Economic and Tourism Development Committee
  - (a) Cr L Rumble (one member)
4. Tom Price Sporting Working Group
  - (a) Cr R Kapor (one member).

**Council Decision**                      **054/2024**

**Moved**                                      **Cr M Lynch**

**Seconded**                                 **Cr R Kapor**

**That with respect to Appointment of Elected Members to Committees of Council and Working Groups, and pursuant to sections 5.10 and 5.11A of *Local Government Act 1995*, Council, appoints the following elected members to the following committees and working group, for the term of 19 March 2024 to 18 October 2025 -**

- 1. Audit and Risk Management Committee**
  - (a) Cr R De Pledge (one member)**
- 2. Community Grants Committee**
  - (a) Cr R Kapor (one deputy member)**
- 3. Economic and Tourism Development Committee**
  - (a) Cr L Rumble (one member)**
- 4. Tom Price Sporting Working Group**
  - (a) Cr R Kapor (one member).**

**For:**                      **A Smith, K White, R De Pledge, M Gallanagh, L Rumble JP, A Sullivan, M Lynch, B Healy and R Kapor**

**Against:**             **Nil**

**Carried By Absolute Majority 9/0**

**Reason for change:**

Nominated elected members included. Appointment to the Chief Executive Officer's Recruitment and Performance Review Committee was not required as membership was filled at the meeting held 25 October 2023.

## 14 Infrastructure Services Reports

*Cr M Lynch disclosed an impartiality interest in Item 14.1 (detailed in Item 5.2).*

### 14.1 RFT 24.23 Maintenance Grading of Roebourne-Wittenoom Road and Pannawonica-Millstream Road

<b>File Reference</b>	CM24.23
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	C Hurstfield, Manager Town Maintenance
<b>Authorising Officer</b>	R Miller, Director Infrastructure Services
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 20 February 2024 - Item 14.2 – 029/2024
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	1. Confidential Evaluation and Recommendation Report - Confidential

#### Report Purpose

Council is required to consider award of tender RFT 24.23 Maintenance Grading of Roebourne-Wittenoom Road and Pannawonica-Millstream Road.

The purpose of this report is to provide the Tender Evaluation and Recommendation Report for RFT 24.23 Maintenance Grading of Roebourne-Wittenoom Road and Pannawonica-Millstream Road to allow Council to make a decision regarding award or rejection of RFT 24.23.

Based on the tender evaluation panel's assessment, Council is requested to award RFT 24.23 to Tenderer 2, being the preferred contractor, for the Maintenance Grading of Roebourne-Wittenoom Road and Pannawonica-Millstream Road.

#### Background

Tenders were invited in accordance with the *Local Government Act 1995* to invite suitably registered, qualified, and experienced contractors to submit bids to enter a contract for RFT 24.23, in accordance with the tender brief as detailed below:

*The Shire of Ashburton seeks to engage a suitably qualified and experienced road construction Contractor to undertake unsealed road works on Roebourne-Wittenoom Road and Pannawonica-Millstream Road.*

*The works summary is as follows:*

- *Separable Portion 1: Roebourne – Wittenoom Road - Medium maintenance grade of specific segments, including the reinstatement of several cement stabilised floodways, of the Roebourne-Wittenoom Road.*

- *Separable Portion 2: Pannawonica–Millstream Road - Unsealed road upgrade works, reconstruction of an existing culvert structure within a sealed road segment and specific road flood damage repairs on Pannawonica-Millstream Road.*

The works detail scope is as follows:

### **Separable Portion 1:**

The work general includes but is not limited to:

- *Develop and implementation of an Asbestos Management Plan to its fullest extent in consultation with Worksafe WA.*
  - *Wet maintenance grade Roebourne -Wittenoom Rd Slk 0 – 6.34, Slk 15.89 – 25.58 o Minimum equipment requirement: 2 x semi water carts and 1 roller (tenders may choose to use more than these minimum requirements);*
  - *Supply of all equipment required for the sourcing and supply of water for the works from locally available sources (bores). Contractor will need to liaise with Main Roads WA Pilbara if the bore and turkey's nest at SLK 106.5 Manuwarra Red Dog Hwy is required as culverts will need to be installed through the table drain and appropriate cover provided to allow the area to be accessed by water carts;*
  - *Watering the road, table / roadside drains and windrows to limit dust and the presence of airborne fibres;*
  - *Use of suitable loose material from the road carriageway and drains to mix with the existing material and reform the road formation as necessary;*
  - *Full compliance with the requirements of the Contractors Asbestos Management plan including decontamination of equipment and personnel as necessary;*
  - *Opening up the entrances to the existing offshoot drains is required but grading of the offshoot drains is prohibited; and*
  - *The graded road carriageway should generally have a crowned cross-section (approx. 3 – 4% cross-fall) with 4% superelevation on curves. The typical cross-section able to be achieved will vary with site constraints.*
- *Construction of cement stabilised floodway pavements (3% cement stabilised by mass) in the following areas:*
  - *Slk 4.20 – 4.40 (6m wide, 200mm compacted thickness);*
  - *Slk 6.20 – 6.31 (6m wide, 200mm compacted thickness); and*
  - *Finished level of the compacted stabilised pavement shall generally follow the natural topography however particular care shall be given to ensuring the invert level of the floodway is appropriate for the invert of the creek and provides for a flat surface with 1% one way crossfall from upstream to downstream*

*The grading work shall generally comprise 3 – 4 passes up and back with mixing and compaction of loose material using both water and rollers.*

**Separable Portion 2:**

The work generally includes but is not limited to:

*Separable Portion 2 is identified in three (3) sections identified below. Tenderers should also refer to the pricing schedule, specifications, flood damage defect schedule and drawings for information regarding the required scope of work.*

**Section A – Reinstatement Of Flood-Damaged Road Segments**

*Reinstatement of specific segments of Pannawonica-Millstream Rd to a standard equivalent to the pre-disaster standard and condition of the road as determined by the Principal. The scope of works is as per the Shire's AGRN920, AGRN951 and AGRN1015 flood damage reinstatement defect schedule provided for reference in Attachment F.*

In general terms, the scope of work typically comprises:

- *Minor clearing;*
- *Reconstruct road formation;*
- *Gravel sheeting;*
- *Maintenance grading;*
- *Reshape/form table drains and offshoot drains;*
- *Repairs and reconstruction of various floodways including cement stabilised and unsealed floodways including rock protection as required;*
- *Source gravel from borrow pits including clearing, topsoil stripping, removal of overburden, pushing up and stockpiling gravel and associated rehabilitation of expired borrow pits;*
- *Construction and maintenance of turkey nests associated with nominated water bore sources;*
- *Various works to obtain water from water bores, natural sources and any other source for road construction purposes; and*
- *Maintenance of all roads that the Contractor travels on as part of completing the work.*

**Section B – Reforming and Resheeting**

*Reforming and resheeting of Pannawonica-Millstream Road between SLK 20 – 25 and SLK 30 – 35. In general terms, the works comprise:*

- o *Cut-to-fill to achieve a typical 4% crown approx. 11m wide formation to suit typical details provided in the drawing within this RFT;*

- o *Prepare the existing surface to form the subgrade surface which is to be to the shape and width as detailed in the typical details in Dwg No. SAB-J0554-100;*
- o *Form table drains and/or clean out and deepen existing table drains to match new formation as required. Table drains should be approx. 150mm below the subgrade hinge point and be trapezoid in shape with details as shown in the drawing within this RFT;*
- o *Supply, place, compact and trim gravel sheeting layer 150mm compacted thickness 9m wide; and*
- o *Supply and install guideposts.*

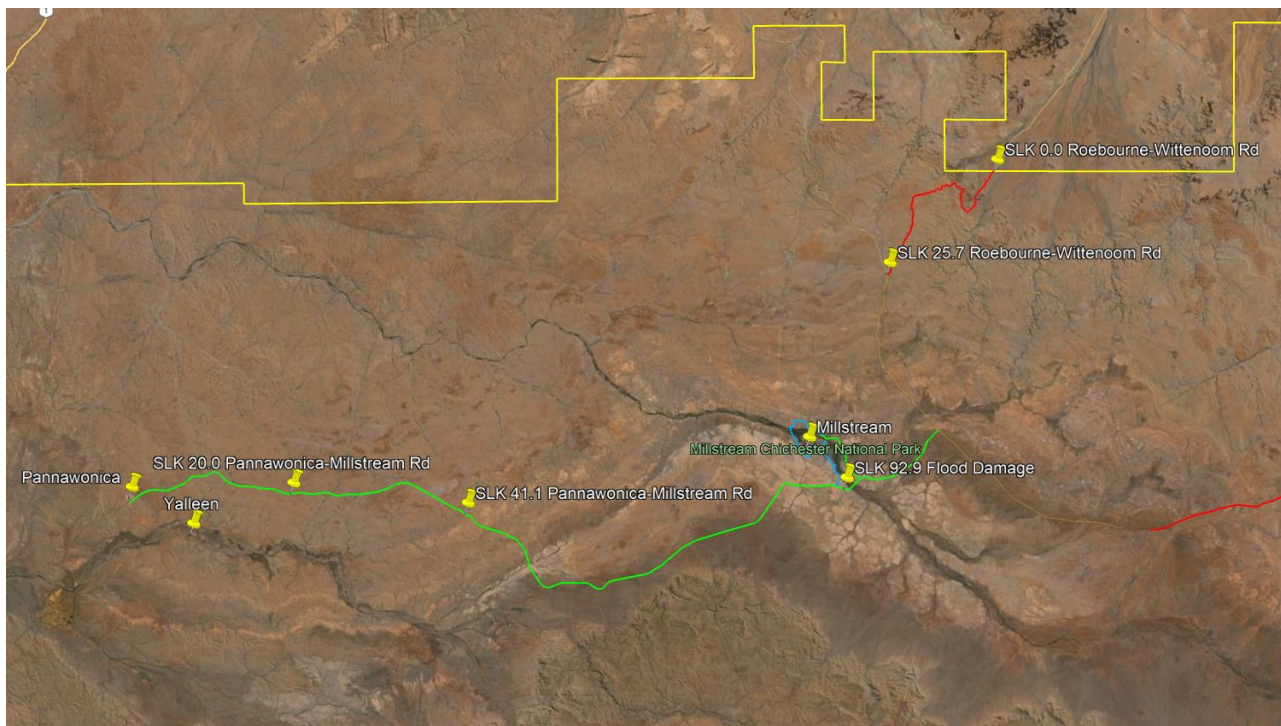
- *Supply of all materials for the above scope including, but not limited to cement, water from local water sources and gravel sheeting/embankment fill material from local borrow pits; and*
- *Maintenance of all roads that the Contractor travels on to complete the above scope of work to the satisfaction of the Superintendent's Representative.*

### **Section C – Culvert Upgrade And Sealed Pavement Works**

- *Upgrade of an existing helicor culvert structure at SLK 40.66. The scope will comprise:*
- *Removal and disposal of the existing helicor culvert structure and road surfacing as required to remove the culvert;*
  - *Prepare the trench for installation of new pipe culvert structure;*
  - *Supply and install 450mmØ Class 4 Reinforced Concrete Pipes (min. 14.4m long), complete with pre-cast headwalls to suit;*
  - *Backfill around pipes with suitable 5% cement stabilised fill;*
  - *Reconstruction of the road segment above and adjacent to the newly constructed culvert structure to provide for a minimum cover of 150mm above the top of the new pipes. Blend into existing road vertical geometry to ensure smooth transition across the culvert structure. Newly constructed pavement to be 3% cement stabilised;*
  - *Supply and placement of rock scour protection around upstream and downstream culvert headwalls and at least 2m long adjacent the full width of the downstream headwall apron slab; and*
  - *Supply and install guide posts and culvert posts in accordance with Main Roads WA Standard Drawing 201331-008.*
- *Upgrade of an existing HDPE culvert structure at SLK 92.9. The scope will comprise:*
  - *Removal and disposal of the existing HDPE culvert structure and associated concrete headwalls and road surfacing as required to remove the culvert;*
  - *Prepare the base of the excavated area suitable for the construction of a new RCBC culvert structure;*
  - *Supply and install a 3 x 1200 x 900 (W x H) RCBC culvert structure (min. 12m long) complete with in-situ concrete base slabs and pre-cast headwalls to suit;*
  - *Backfill around culvert structure with suitable cement stabilised fill;*
  - *Reconstruction of the road segment above and adjacent to the newly constructed culvert structure to provide for a min. cover of 300mm above the top of the new culvert structure. Blend into existing road vertical geometry to ensure smooth transition across the culvert structure. Newly constructed pavement to be 3% cement stabilised;*
  - *Supply and construct new prime + 2 coat seal onto newly constructed cement stabilised pavement (14/7mm);*

- *Supply and placement of rock scour protection around upstream and downstream culvert headwalls and at least 2m long adjacent the full width of the downstream headwall apron slab and*
- *Supply and install guide posts and culvert posts in accordance with Main Roads WA Standard Drawing 201331-008.*
- *Supply of all materials for the above scope including, but not limited to cement, water from local water sources and gravel sheeting / embankment fill material from local borrow pits.*

*Maintenance of all roads that the Contractor travels on to complete the above scope of work to the satisfaction of the Superintendent's Representative.*



Locations of work for RFT 24.23

### Comments

A Request for Tender RFT 24.23 - Maintenance Grading of Roebourne-Wittenoom Road and Pannawonica-Millstream Road was issued via the Shire's e-tendering portal known as Tenderlink on Saturday 16 December 2023 and the tender invited closed on Thursday 1 February 2024 at 2pm.

The Tender was also advertised via statewide public notice in The West Australian newspaper from Saturday 16 December 2023.

Submissions were received from two companies and were assessed using the following assessment criteria approved prior to the advertisement of RFT 24.23.



Criteria		Weighting
(a)	Relevant Experience	30%
(b)	Key Personnel	20%
(c)	Demonstrated Understanding of the Project & Methodology	30%
(d)	WHS Systems / Risk Management	20%
<b>Total</b>		<b>100%</b>

Following completion of a Declaration of Confidentiality and Interest, each tender assessment panel member individually assessed the tender submissions against the criteria and each criterion was given a rating scale of 0-10, with zero being the lowest and 10 being the highest.

The evaluation and recommendation report, including the overall evaluation scores and rankings, is detailed in Confidential Attachment 1. The submissions received, in no particular order, are shown in the table below.

Tenderers
Meck Civil Pty Ltd
THEM Earthmoving Pty Ltd

An independent probity auditor was involved throughout the tender process due to the project value being greater than \$1million.

**Consultation**

- Procurement Department
- Independent Probity Auditor
- Tender Assessment Panel

**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            2.8 Safe and interconnected transport networks for the community
- Strategy                         2 Manage roads, pathways, and other transport infrastructure according to need and use.

**Council Policy**

[Council Policies » Shire of Ashburton](#)

- Council Policy – Purchasing and Procurement
- Council Policy – Asset Management
- Council Policy – Risk Management

**Financial Implications**

Current Financial Year

A summary of funding for this project is detailed below.

- GL X3037 - Millstream - Pannawonica Road Resheet (TBD): \$701,276.20 ex GST;
- GL X3045 - Millstream - Pannawonica Road - 92.90: \$200,000.00 ex GST; and
- GL R1299 - Roebourne - Wittenoom Road: \$531,320.00 ex GST;
- Local Roads and Community Infrastructure Program LRCIP Ph4B Allocation - \$445,976 ex GST
- Funding Available at time of report = \$1,878,575.20 ex GST
- Tender Price = \$2,151,244 ex GST. Leaving a shortfall of \$273,672. A contingency amount of \$80,350 has been added for a total additional amount of \$354,000 ex GST.

The identified shortfall of \$354,000 in the roads budget to fund this project has been taken into consideration to fund the project shortfall in a separate agenda item within this Council meet to allow total funds to be available to fund Tender 24.23 Maintenance Grading of Roebourne-Wittenoom Road and Pannawonica-Millstream Road.

Note there will be reimbursement from Department of Fire and Emergency Services (DFES) for the flood damage component of this project.

Future Financial Year(s)

Ongoing funding amounts to maintain levels of services will be required in future years and will be form part of the Shire’s asset renewal program for roads which is currently being reviewed.

**Legislative Implications**

*Local Government Act 1995*, Section 3.57 – Tenders for providing goods or services

*Local Government Act 1995*, Section 3.53 – Control of certain unvested facilities

*Local Government (Functions and General) Regulations 1996*, Regulation 11 – When tenders must be publicly invited

*Local Government (Functions and General) Regulations 1996* Regulation 18 – Rejecting and accepting tenders

*Main Roads Act 1930* Part 6 – Secondary roads

The Shire has a responsibility as a road authority to maintain roads under its care and control in a safe condition to the best of its ability, subject to availability of resources.

**Risk Management**

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

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
People	Potential to damage vehicles or injure motorists / passengers travelling in vehicles.	Possible (3)	Moderate (3)	Moderate (5-9)	Maintain road pavement in accordance with industry standards and available resources.

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

### **Voting Requirements**

Absolute Majority

### **Officer Recommendation**

That with respect to RFT 24.23 Maintenance Grading of Roebourne-Wittenoom Road and Pannawonica-Millstream Road, Council,

1. Notes that additional funding of \$354,020 (includes a contingency amount) has been taken into consideration to fund the project shortfall in a separate agenda item within this Council meet to allow total funds to be available to fund Tender 24.23 Maintenance Grading of Roebourne-Wittenoom Road and Pannawonica-Millstream Road.
2. Accepts the Evaluation Panel's Recommendation and accepts the most advantageous tender being submitted by Tenderer 2 to form a contract for Request for Tender 24.23 Maintenance Grading of Roebourne-Wittenoom Road and Pannawonica-Millstream Road in accordance with the schedule of rates detailed in Confidential Attachment 1.
3. Authorises the Chief Executive Officer to enter into a formal contract with Tenderer 2 for the tendered works.

**Council Decision**                      **055/2024**

**Moved**                                      **Cr L Rumble JP**

**Seconded**                                 **Cr B Healy**

**That with respect to RFT 24.23 Maintenance Grading of Roebourne-Wittenoom Road and Pannawonica-Millstream Road, Council,**

- 1. Notes that additional funding of \$354,020 (includes a contingency amount) has been taken into consideration to fund the project shortfall in a separate agenda item within this Council meet to allow total funds to be available to fund Tender 24.23 Maintenance Grading of Roebourne-Wittenoom Road and Pannawonica-Millstream Road.**
- 2. Accepts the Evaluation Panel's Recommendation and accepts the most advantageous tender being submitted by Tenderer 2 to form a contract for Request for Tender 24.23 Maintenance Grading of Roebourne-Wittenoom Road and Pannawonica-Millstream Road in accordance with the schedule of rates detailed in Confidential Attachment 1.**
- 3. Authorises the Chief Executive Officer to enter into a formal contract with Tenderer 2 for the tendered works.**

**For:**                      **A Smith, K White, R De Pledge, M Gallanagh, L Rumble JP, A Sullivan, M Lynch, B Healy and R Kapor**

**Against:**              **Nil**

**Carried By Absolute Majority 9/0**

## 14.2 Request to Vary Road Use Agreement - Mt Stuart Red Hill Road

<b>File Reference</b>	TT.02
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	C Hurstfield, Manager Town Maintenance
<b>Authorising Officer</b>	R Miller, Director Infrastructure Services
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 13 June 2023 - Item 14.2 – 108/2023
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Amendment and Restatement Deed Red Hill-Mt Stuart Road - Road Use Agreement - Confidential</li> <li>2. Letter - Request for Variation to Red Hill-Mt Stuart Road User Agreement - Confidential</li> </ol>

### Report Purpose

Council is required to consider a proposed variation to the existing Mt Stuart Red Hill Road Road Use Agreement (RUA) between Mineral Resources Limited (MinRes), Crushing Services International Pty Ltd (CSI), Onslow Iron Pty Ltd (Onslow Iron) and the Shire of Ashburton.

The purpose of this report is to outline the reasons for the proposed variation and to table an Amendment and Restatement Deed for the Mt Stuart Red Hill Road RUA, which if supported with amend the terms of the agreement.

Council is requested to authorise the Shire President and the Chief Executive Officer to engross the Amendment and Restatement Deed (Confidential Attachment 1).

### Background

The Shire entered into a RUA with MinRes, CSI and Onslow Iron on 6 July 2023 regarding the upgrading and maintenance of Mt Stuart Red Hill Road. A copy of this agreement is included with proposed amendments highlighted and provided at Confidential Attachment 1. The term of this agreement is for 10 years (through to 28 March 2033).

In relation to the RUA, clause 4(a)(ii) states:

*“the parties acknowledge that when the proposed Service Road has been constructed and is open for use, or on 30 March 2024, whichever is earlier, use of the Access Road for constructing or servicing the Project will cease”.*

Similar references to the use of Mt Stuart Red Hill Road occur in clauses 9(a) and 9(b) of the RUA.

MinRes has formally requested an extension of time from 30 March 2024 to 31 October 2024, as the Service Road will not be ready for use by 30 March 2024 and use of Red Hill-Mt Stuart Road will be required to service the project through until 31 October 2024. Delays have been experienced due to construction and operational constraints. MinRes has supplied the attached supporting letter in regards to this matter (Confidential Attachment 2).

**Comments**

Clause 22 of the RUA provides a mechanism for varying the terms of the existing Deed, which may be formally varied by a document (Confidential Attachment 1) signed on behalf of each Party.

The MinRes correspondence contained two components:

1. Request to extend the use of the access road to allow continued construction and completion of the MinRes Service Road; and
2. Request to delete items 4 and 5 of Council resolution 108/2023 from the attachment which is currently included in the RUA agreement.

This report to Council at OCM 19 March 2024 is to consider the request. Given that Council supports the project and has endorsed the original agreement, the officer will be recommending to support the extension request to use the access road to the 31 October 2024.

In regards to Council Resolution 108/2023 items 4 and 5, the resolution gave permission to the CEO to advise MinRes of matters that the Shire considered important.

The word advise was used on the understanding that the Shire could not direct MinRes to do actions that may be outside of their control or not legal. In this case the Shire has completed the actions of items 4 and 5 and demonstrated that advice was provided to MinRes and with the subsequent inclusion in the signed RUA agreement.

This is also supported in Council’s reasons for change noted in the resolution. MinRes have now provided information to the Shire by way of letter (Confidential Attachment 2) dated 26 February 2024 that, on Shire advice they have engaged and investigated actions for items 4 and 5. The outcome is that they consider item 4 addressed and that to complete the request of item 5 would require illegal activity of which the company cannot carry out.

To ensure clarity, officer’s will recommend that the attachment in the RUA agreement detailing Council’s resolution 108/2023 be kept in the agreement and include MinRes letter dated 26 February 2024 addressing items 4 and 5 and a copy of this agenda item resolution, as Annexure 4 to the amended and varied RUA,if approved.

**Consultation**

N/A

**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	2.8 Safe and interconnected transport networks for the community
Strategy	2 Manage roads, pathways, and other transport infrastructure according to need and use.

**Council Policy**

[Council Policies » Shire of Ashburton](#)

Council Policy – Road Management

The Shire manages its road network to minimise preventable expenditure.

**Financial Implications**

Current Financial Year

All costs associated with the upgrade and maintenance of the Access Road, in accordance with the terms of the existing RUA, will be borne by MinRes.

Future Financial Year(s)

There will be no financial impact in future years as any work required for the term of the RUA is at the expense of MinRes.

**Legislative Implications**

Section 3.53 of the *Local Government Act 1995* provides for local government to be responsible for controlling or managing thoroughfares.

Section 132 of the *Road Traffic Act 2008* permits a local government and person who may become liable for the cost of repairs to enter into an agreement providing for the person to pay a compensation to the local government.

**Risk Management**

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

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Financial impact	Shire expending funds to maintain / upgrade the road.	Unlikely (2)	Insignificant (1)	Low (1-4)	Ensure adequate provisions requiring upgrading and maintenance of the road are contained within the RUA.

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

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That with respect to the proposed Amendment and Restatement Deed Mt Stuart Red Hill Road - Road Use Agreement, Council:

1. Supports the Amendment and Restatement Deed in accordance with clause 22 of the Road Use Agreement and with the request to vary clauses 4(a)(ii), 9(a) and 9(b) of the Road Use Agreement between the Shire of Ashburton, Mineral Resources Limited, Crushing Services International Pty Ltd and Onslow Iron Pty Ltd by extending the use of Mt Stuart Red Hill Road for the purpose of servicing the project from 30 March 2024 to 31 October 2024.
2. Authorises the Shire President and Chief Executive Officer to engross and affix the Common Seal to the Amendment and Restatement Deed (Confidential Attachment 1).
3. Acknowledges Mineral Resources Limited's request and comments (Confidential Attachment 2) and includes a copy of the letter and the current resolution as an Annexure of the Road Use Agreement.
4. Authorises the Chief Executive Officer to advise Mineral Resources Limited to pursue active communications and engagement with Red Hill Station and to minimise disruption and impact on the pastoralist operations while continuing to use the Access Road for the project.

**Council Decision**            **056/2024**

**Moved**                        **Cr R De Pledge**

**Seconded**                  **Cr L Rumble JP**

**That with respect to the proposed Amendment and Restatement Deed Mt Stuart Red Hill Road - Road Use Agreement, Council:**

- 1. Supports the Amendment and Restatement Deed in accordance with clause 22 of the Road Use Agreement and with the request to vary clauses 4(a)(ii), 9(a) and 9(b) of the Road Use Agreement between the Shire of Ashburton, Mineral Resources Limited, Crushing Services International Pty Ltd and Onslow Iron Pty Ltd by extending the use of Mt Stuart Red Hill Road for the purpose of servicing the project from 30 March 2024 to 31 October 2024.**
- 2. Authorises the Shire President and Chief Executive Officer to engross and affix the Common Seal to the Amendment and Restatement Deed (Confidential Attachment 1).**
- 3. Acknowledges Mineral Resources Limited's request and comments (Confidential Attachment 2) and includes a copy of the letter and the current resolution as an Annexure of the Road Use Agreement.**
- 4. Authorises the Chief Executive Officer to advise Mineral Resources Limited to pursue active communications and engagement with Red Hill Station and to minimise disruption and impact on the pastoralist operations while continuing to use the Access Road for the project.**

**For:**                    **A Smith, K White, R De Pledge, M Gallanagh, L Rumble JP, A Sullivan, M Lynch, B Healy and R Kapor**

**Against:**            **Nil**

**Carried 9/0**



## 15 Community Development Reports

*Cr B Healy disclosed an indirect financial interest in Item 15.1 (detailed in Item 5.2).*

At 2:31 pm, Cr Brie Healy left the meeting.

### 15.1 Tom Price Community Arts and Cultural Centre – Support for Proposed Freehold Transfer of Portion of UCL 524 on Deposited Plan 69942

<b>File Reference</b>	DOR.0867
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	T Staley, Coordinator Communities East
<b>Authorising Officer</b>	R Wright, Acting Director Community Development
<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. Tenure Map Portion of UCL Lot 524 on DP 69942</li> <li>2. Aerial Map</li> <li>3. Letter of Support</li> <li>4. Image of Flooded Land</li> <li>5. Letter Requesting Support</li> <li>6. DPLH Current Offer - 23/02/2024</li> </ol>

#### Report Purpose

The purpose of this report is for Council to consider a request from the Tom Price Community Arts and Cultural Centre Inc (TPCACC) for a contribution of \$22,000 towards the freehold land purchase of Unallocated Crown Land (UCL) adjoining their existing facility at Lot 867 Doradeen Road, Tom Price.

Council is requested to support the proposal to provide funding from the Community Initiatives Account CM24074, for this purchase.

#### Background

The Shire was approached by the TPCACC in January 2022 requesting the use of/extension of their property into a portion of UCL – Lot 524 on Deposited Plan 069942 (Attachment 2 refers) adjoining their existing property for use as a part of the Tom Price Community Garden (Attachment 1 refers).

It was noted at that time that there were several options for the TPCACC to obtain tenure of the land as follows:

1. The Shire purchases the UCL or requests a Management Order over the UCL and leases to the TPCACC directly.
2. The State leases the land directly to the TPCACC.

3. The TPCACC purchases the land from the State and amalgamates this with their existing freehold property.

At that time, the Shire recommended Option 2 and 3, as these two options were considered to be the least complex for both the Shire and the TPCACC and would provide more long-term security over the land to the TPCACC.

The TPCACC subsequently approached the Department of Planning, Lands and Heritage (DPLH) directly, submitting a formal request for the land (and their preferred tenure option) through a Crown Land Enquiry Form (CLEF) in May 2022.

DPLH suggested that freehold tenure may be the best option, advising:

*“Given that the encroachment area extends from the boundary of the Tom Price Community Arts and Cultural Centres freehold lot, from a land assembly perspective, freehold could be the recommended form of tenure”.*

In August 2023 the Shire received the referral request from the DPLH and responded by way of support for the acquisition of freehold land for amalgamation into their adjoining lot (Attachment 3 refers). It was noted that the subject land is prone to flooding during high rainfall events and that this should be reaffirmed with the proponent. A picture of land during a rainfall event is provided for information as Attachment 4.

The TPCACC received an offer from the DPLH to purchase the 875m<sup>2</sup> of subject land for \$34,793.00 plus costs for surveyor fees, etc, totalling an approximate cost of \$50,000.

As outlined in the TPCACC’s email sent on 28 November 2023 (Attachment 5), as both the TPCACC and Tom Price Community Garden groups are very small non-for-profit volunteer run community organisations, they are unable to afford the purchase of the subject land and are pursuing sponsorships and community fundraising possibilities to try and raise the money, requesting the Shire consider providing some support or contribution.

At that time, the Shire encouraged the TPCACC via telephone to request a revised valuation through the DPLH to consider the community benefit of the land by amalgamating it with a Not-for-Profit entity as well as the land constraints such as flooding, drainage and utility issues.

## Comments

On 23 February 2023, the TPCACC received communication from the DPLH (Attachment 6), with a revised Landgate valuation for the subject portion of UCL, being \$10,000 plus GST reflecting the flooding and utility issues, previously unknown to the valuer.

The total cost to the TPCACC is now approximately \$22,000 which includes the following: revised land valuation of \$10,000 plus GST, stamp duty, survey fees, document preparation and Landgate lodgement Fees TPCAAC, a substantial decrease from the initial \$50,000.

TPACC together with the Tom Price Community Garden could potentially seek community donations and sponsorship to raise the funds required to purchase the freehold land, however it is anticipated that this would be a protracted process.

The Tom Price Community Garden has reached its capacity within the confines of the TPCACC current land holdings. The overwhelming community interest and support of the garden coupled with the numerous programs the garden provides to the community it is recommended Council endorse the Shire to provide the funds required for the purchase of UCL 524 to a maximum of \$22,000.

The positive impact of endorsing the funding for this project would extend not only to the Tom Price Community Garden but also to the broader community. Supporting TPCACC in purchasing Portion of UCL 524 on Deposited Plan 69942 will enhance the Tom Price Community Gardens capacity, expand its programs, and create a more sustainable and vibrant space for community members. Fostering community well-being, environmental stewardship, and social cohesion.

**Consultation**

Tom Price Community Arts and Cultural Centre Inc

Tom Price Community Garden

Department of Planning, Land and Heritage

Community Development

Planning and Lands

**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	2 Drive community engagement to provide input to enhance opportunities aligned with community needs.

**Council Policy**

[Council Policies » Shire of Ashburton](#)

Nil

**Financial Implications**

Current Financial Year

\$22,000 inclusive of GST is available from within this existing budget - Community Initiatives account (CM24074).

Future Financial Year(s)

Nil

**Legislative Implications**

Nil

**Risk Management**

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

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
People	The Council could be seen to favouring the Tom Price Community Arts and Cultural Centre.	Possible (3)	Moderate (3)	Low (1-4)	Positive communications of support of the Tom Price Community Garden.

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**

With respect to the Tom Price Community Arts and Cultural Centre Inc request for support for the proposed freehold purchase of 875m<sup>2</sup> of Unallocated Crown Land, being a portion of Lot 524 on Deposited Plan 069942, Council,

1. Approves a financial contribution of up to a maximum of \$22,000 inclusive of GST, from account CM24074 Community Initiatives to the Tom Price Community Arts and Cultural Centre Inc, to facilitate the freehold land purchase and its formal amalgamation into Lot 867 Doradeen Road, Tom Price (CT1749/660); and
2. Approves for the Chief Executive Officer to release funds up to the maximum amount of \$22,000 including GST subject to the acquisition of an 875m<sup>2</sup> portion of Lot 524 on Deposited Plan 069942 and associated evidence from the Department of Lands, Planning and Heritage shown as Attachment 1.

**Council Decision**            **057/2024**

**Moved**                        **Cr M Lynch**

**Seconded**                 **Cr R Kapor**

**With respect to the Tom Price Community Arts and Cultural Centre Inc request for support for the proposed freehold purchase of 875m<sup>2</sup> of Unallocated Crown Land, being a portion of Lot 524 on Deposited Plan 069942, Council,**

- 1. Approves a financial contribution of up to a maximum of \$22,000 inclusive of GST, from account CM24074 Community Initiatives to the Tom Price Community Arts and Cultural Centre Inc, to facilitate the freehold land purchase and its formal amalgamation into Lot 867 Doradeen Road, Tom Price (CT1749/660); and**
- 2. Approves for the Chief Executive Officer to release funds up to the maximum amount of \$22,000 including GST subject to the acquisition of an 875m<sup>2</sup> portion of Lot 524 on Deposited Plan 069942 and associated evidence from the Department of Lands, Planning and Heritage shown as Attachment 1.**

**For:**                    **A Smith, K White, R De Pledge, M Gallanagh, L Rumble JP, A Sullivan, M Lynch and R Kapor**

**Against:**            **Nil**

**Carried 8/0**

At 2:35 pm, Cr Brie Healy returned to the meeting.

*SP A Smith disclosed a direct financial interest in Item 15.2 (detailed in Item 5.2).*

*Cr B Healy disclosed an impartiality interest in Item 15.2 (detailed in Item 5.2).*

At 2:35 pm, SP Audra Smith left the meeting.

Deputy Shire President, K White, assumed position of Chair.

## 15.2 Tom Price Sporting Working Group - Community Member Selection

<b>File Reference</b>	RC40
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	M Bishop, Club Development Lead
<b>Authorising Officer</b>	R Wright, Acting Director Community Development
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 8 August 2023 - Item 13.4 – 157/2023 Special Council Meeting 25 October 2023 – Item 8.2 – 196/2023
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Tom Price Sporting Working Group Terms of Reference</li> <li>2. Tom Price Sporting Working Group - Nominations - Confidential</li> <li>3. Tom Price Sporting Working Group - Selection Panel Recommendation - Confidential</li> </ol>

### Report Purpose

Council is required to endorse community member representation on the Tom Price Sporting Working Group.

The purpose of this report is to provide information on the nominations received and the assessment against the selection criteria by the selection panel.

Council is requested to endorse the selection panel’s recommendation.

### Background

At its meeting held 8 August 2023, Council endorsed a review of the Shire’s committees and working groups. During this process, representation on the Tom Price Sporting Working Group was agreed on.

The purpose of the Tom Price Sporting Working Group is to:

1. Provide guidance to sport and recreation issues within the Tom Price Sporting precinct (Tom Price Oval and Minna Oval);
2. Provide a forum for discussion of matters relating to sport and recreation within the town of Tom Price, including identification of issues and opportunities and ensuring

equitable access to sport and recreation opportunities for all members of the community; and

3. Provide direction on all matters relating to the clubs and facilities.

At the Special Council Meeting held on 25 October 2023, Council endorsed the appointment of two Tom Price Ward Councillors with the remaining Tom Price Ward Councillor being the appointed deputy on the Tom Price Sporting Working Group for terms expiring on 18 October 2025.

As per the endorsed Tom Price Working Group Terms of Reference (refer to Attachment 1), the working group shall include seven community members with community members being appointed by calling for nominations through an advertisement on the Shire's website, social media channels and noticeboards and being selected by a selection panel.

The selection panel to consider community representation on this working group consisted of the:

- Director Community Development;
- Manager Communities; and
- Senior Club Development Officer.

Recommendations from the selection panel are to be submitted to Council for endorsement.

### **Comments**

The call for nominations for community representation on the Tom Price Sporting Working Group was deferred until February 2024, given many people are away in December and January and some sporting groups are inactive at this time.

Advertising for nominations took place from 21 February 2024 and was open for two weeks.

At the close of nominations, 12 nominations were received (refer to Confidential Attachment 2).

Nominations were assessed by the selection panel, against the selection criteria detailed below, giving consideration to the diversity of sport and recreation clubs, associations and interests, to ensure even and fair representation:

1. Current involvement in service provision, policy or program development in the area of sport and recreation;
2. Endorsement by their organisation;
3. Strong knowledge of the Tom Price sporting activities with networks throughout the local community;
4. Strong knowledge of sport and recreation trends and impacts relevant to the purpose of the Group;
5. A willingness to contribute meaningfully to meetings in a fair and unbiased manner; and
6. Capacity to represent and commit to Group for the required term.

The selection panel's recommendations are detailed in Confidential Attachment 3.

### **Consultation**

Acting Director Community Development

Manager Communities

Senior Club Development Officer



**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 Policies » Shire of Ashburton](#)

Nil

**Financial Implications**

Current Financial Year

Nil

Future Financial Year(s)

Nil

**Legislative Implications**

Nil

**Risk Management**

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

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Reputation (social/community)	Community is not appropriately represented at working groups.	Unlikely (2)	Minor (2)	Low (1-4)	Appointment of community members for a 18 month period following which, nominations for vacancies will be readvertised.

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 appointment of seven community members to the Tom Price Sporting Working Group, Council, endorses the appointment of the following persons for the term of 19 March 2024 to 18 October 2025 to coincide with the next Local Government Ordinary Elections:

1. Felicity Guthrie
2. Tracey Rogers
3. Carley Anthony
4. Adam Hitchcock
5. Kieran Day
6. Bria Bovell
7. Joel Taylor.

<b>Council Decision</b>	<b>058/2024</b>
<b>Moved</b>	<b>Cr M Lynch</b>
<b>Seconded</b>	<b>Cr M Gallanagh</b>

**That with respect to the appointment of seven community members to the Tom Price Sporting Working Group, Council, endorses the appointment of the following persons for the term of 19 March 2024 to 18 October 2025 to coincide with the next Local Government Ordinary Elections:**

- 1. Felicity Guthrie**
- 2. Tracey Rogers**
- 3. Carley Anthony**
- 4. Adam Hitchcock**
- 5. Kieran Day**
- 6. Bria Bovell**
- 7. Joel Taylor.**

**For: K White, R De Pledge, M Gallanagh, L Rumble JP, A Sullivan, M Lynch, B Healy and R Kapor**

**Against: Nil**

**Carried 8/0**

At 2:36 pm, SP Audra Smith returned to the meeting and resumed position of Chair.

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

Nil

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

Nil

## 18 Confidential Matters

### Procedural Motion

Moved Cr M Lynch

Seconded Cr K White

That Council move behind closed doors at 2:37pm, pursuant to clause 6.2 of the *Shire of Ashburton Standing Orders Local Law 2012* to consider the following confidential items.

#### 18.1 Paraburdoo Community Hub Funding Agreement Variation

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

- (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

For: A Smith, K White, R De Pledge, M Gallanagh, L Rumble JP, A Sullivan, M Lynch, B Healy and R Kapor

Against: Nil

Carried 9/0

*Cr M Gallanagh disclosed a direct financial interest in Item 18.1 (detailed in Item 5.2).*  
*Cr M Lynch disclosed an indirect financial interest in Item 18.1 (detailed in Item 5.2).*  
*Cr L Rumble JP disclosed a direct financial interest in Item 18.1 (detailed in Item 5.2).*  
*SP A Smith disclosed a direct financial interest in Item 18.1 (detailed in Item 5.2).*  
*Cr A Sullivan disclosed a direct financial interest in Item 18.1 (detailed in Item 5.2).*  
*Cr R Kapor disclosed an indirect financial interest in Item 18.1 (detailed in Item 5.2).*

At 2:37 pm, Cr Alana Sullivan left the meeting.

At 2:37 pm, Cr Linton Rumble JP left the meeting.

At 2:37 pm, Cr Melanie Gallanagh left the meeting.

At 2:37 pm, SP Audra Smith left the meeting.

Deputy Shire President, Cr K White, assumed position of Chair.

### 18.1 Paraburdoo Community Hub Funding Agreement Variation

<b>File Reference</b>	CS48
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	C McGurk, Director Community Development
<b>Authorising Officer</b>	K Donohoe, Chief Executive Officer
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 27 September 2016 - Item 16.1
<b>Disclosure(s) of interest</b>	Author – Indirect Financial
	Authorising Officer – Nil
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Proposed Paraburdoo Community Hub Funding Agreement Variation</li> <li>2. Funding Deed Paraburdoo Community Hub 2016-2022</li> <li>3. Extract of Council Minutes 27 September 2016 (Item 16.1)</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)(c) of the Local Government Act 1995 as the subject matter relates to:</i>
<b>Sub-clause and Reason:</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

Council is required to review the proposed Paraburdoo Community Hub Funding Agreement Variation (Attachment 1) to the operational management funds outlined in the Funding Deed Paraburdoo Community Hub 2016-2022 (Attachment 2), between the Shire of Ashburton (the Shire) and Pilbara Iron Company (Services) Pty Ltd (Rio Tinto).

The purpose of this report is to provide an overview of the Funding Agreement Variation, outlining the continued operational management support of the Paraburdoo CHUB with funds provided under the Paraburdoo Community Hub Funding Agreement.

Council is requested to support the Funding Agreement Variation and authorise the Chief Executive Officer to execute the Paraburdoo Community Hub Funding Agreement Variation as provided at Attachment 1.

## Voting Requirements

Simple Majority

**Council Decision**            **059/2024**

**Moved**                         **Cr M Lynch**

**Seconded**                    **Cr R De Pledge**

**That with respect to the Paraburdoo Community Hub Funding Variation, Council,**

- 1. Supports the endorsement of the Paraburdoo Community Hub Funding Variation between Pilbara Iron Company (Services) Pty Ltd and the Shire of Ashburton as provided at Attachment 1; and**
- 2. Authorises the Chief Executive Officer and the Shire President to jointly engross the Paraburdoo Community Hub Funding Agreement Variation.**

**For:**                    **K White, R De Pledge, M Lynch, B Healy and R Kapor**

**Against:**            **Nil**

**Carried 5/0**

At 2:39 pm, Cr Alana Sullivan returned to the meeting.

At 2:39 pm, Cr Linton Rumble JP returned to the meeting.

At 2:39 pm, Cr Melanie Gallanagh returned to the meeting.

At 2:39 pm, SP Audra Smith returned to the meeting and resumed position of Chair.

**Procedural Motion****Moved** Cr R De Pledge**Seconded** Cr M Gallanagh**That Council re-open the meeting to the public at 2:40pm.****For:** A Smith, K White, R De Pledge, M Gallanagh, L Rumble JP, A Sullivan, M Lynch, B Healy and R Kapor**Against:** Nil**Carried 9/0****19 Next Meeting**

The next Ordinary Council Meeting will be held at 2:00pm on Tuesday 16 April 2024 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 2:41pm.