



# Published Minutes

Ordinary Council Meeting

Tuesday, 20 February 2024

Date:	Tuesday 20 February 2024
Time:	2:00pm
Location:	Council Chambers. Onslow Shire Complex, Second Avenue, Onslow
Distribution Date:	Friday 23 February 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  
23 February 2024

These minutes were confirmed by Council as a true and accurate record of proceedings at the Ordinary Council Meeting held on Tuesday, 20 February 2024.

Presiding Member

Date

19/3/24

**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

The Presiding Member welcomed members of the public to the gallery.

# .3 Attendance

## 3.1 Present

Elected Members:	SP A Smith Cr K White Cr R De Pledge Cr L Rumble JP Cr A Sullivan Cr M Lynch Cr B Healy	Shire President Deputy Shire President, Onslow Ward Ashburton-Tablelands Ward Paraburdoo Ward Paraburdoo Ward Tom Price Ward Tom Price Ward
Employees:	K Donohoe J Sangster C McGurk D Kennedy R Miller A Johnston J Bray A Furfaro R Wright J Hunter P Hanlon	Chief Executive Officer Deputy Chief Executive Officer Director Community Development Director Corporate Services Director Infrastructure Services Manager Media and Communications Manager Governance Governance Officer Executive Manager Land, Property and Regulatory Services Coordinator Planning and Lands Manager Business and Economic Development

	A Sheridan T Hilton	Project Manager (by electronic means) Executive Assistant - Community Development
Guests:	Nil	
Members of Public:	There were two members of the public in attendance at the commencement of the meeting.	
Members of media:	There were no members of the media in attendance at the commencement of the meeting.	

**3.2 Apologies**

Cr M Gallanagh Pannawonica Ward

**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**

**Simon Doble**

Questions:

Made a statement regarding the sand hills as a result of the Mineral Resources development.

Requested that reforestation of the land, creating a proper wind break between the town and the development, occur immediately if the weather permits.

Can Council influence the developer?

Response:

The Chief Executive Officer advised Council did not agree with the site location for the Mineral Resources development. Council made a submission to the Joint Development Assessment Panel (JDAP) with its concerns.

JDAP approved the development with a series of conditions that Mineral Resources is required to comply with.

The Shire has been advised that the Mineral Resources construction should be completed by the end of April 2024. Any rehabilitation work will be undertaken after completion by Mineral Resources. The Shire’s Planning team continues to monitor the issue regarding the dust and Mineral Resources have implemented dust suppression measures.

## 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 following declarations of interest are disclosed –

12.5 Request for Tender 02.23 Onslow Aerodrome Works - Taxiway Echo and GA Apron	
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 the procedures required to ensure a complaint tender process together with a fair and equitable evaluation.

12.1 Assignment of Retail Lease Paraburdoo	
Name	Cr A Sullivan
Nature of interest	Direct Financial
Interest description	I am a party whom is interested in renting a space through "The Collective 6754".

11/CP.5 Review - Standards for Chief Executive Officer Recruitment, Performance and Termination	
Name	Kenn Donohoe, Chief Executive Officer
Nature of interest	Direct Financial
Interest description	Item considers Chief Executive Officer contract, standards applicable and remuneration.



11/CP.5 Chief Executive Officer's 2023/24 Performance Review Process	
Name	Kenn Donohoe, Chief Executive Officer
Nature of interest	Direct Financial
Interest description	Item considers Chief Executive Officer contract, standards applicable and remuneration.

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

The Shire President congratulated the Citizen of the Year winners for 2024 from each town.

### Onslow

Ulfa Nikmah – Young Community Citizen of the Year

Tara Colum – Community Citizen of the Year

### Pannawonica

Hollie Desmond – Community Citizen of the Year

Pannawonica Craft Club – Active Citizenship

### Paraburdoo

Melissa Gamble – Community Citizen of the Year

### Tom Price

Kale Guthrie – Young Community Citizen of the Year

Finola Nicholls – Community Citizen of the Year

Tom Price Basketball – Active Citizenship.

## 7 Petitions / Deputations / Presentations

### 7.1 Petitions

Nil

### 7.2 Deputations

Nil

### 7.3 Presentations

The Shire President presented Alan Murray of MV Marine and Diving Services with a framed photo and certificate in thanks for his generous contribution to the Onslow Eclipse Festival. His support and the support of his team, significantly enhanced the fireworks display, making the festival a memorable experience for everyone in the Onslow community, both visitors and locals alike. Almost 12 months on people still get goosebumps when talking about that evening.

## 8 Applications for Leave of Absence

### 8.1 Application for Leave of Absence

**Council Decision**            **002/2024**

**Moved**                        **Cr A Sullivan**

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

**That Council approve a request for Leave of Absence for Councillor Brie Healy of the Tom Price Ward for the Ordinary Council Meetings on 16 July 2024 and 19 November 2024.**

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

**Against:**            **Nil**

**Carried 7/0**

## 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 Special Council Meeting held on 6 February 2024
- 10.1.2 Minutes of the Ordinary Council Meeting held on 12 December 2023
- 10.2.1 Minutes of the Audit and Risk Management Committee Meeting held on 12 December 2023
- 10.2.2 Minutes of the Economic and Tourism Development Committee held on 12 December 2023
- 11/AR1 Audit Report 2022/23
- 11/AR2 2023 Compliance Audit Return
- 11/AR3 Financial Management Review 2024
- 11/AR4 Internal Audit over Compliance Areas Q3 2023/2024.

## 10 Confirmation Of Minutes

### 10.1 Confirmation Of Council Minutes

#### 10.1.1 Minutes Of The Special Council Meeting Held On 6 February 2024

**Council Decision**            **003/2024**

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

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

**That the Minutes of the Special Council Meeting held 6 February 2024 (Item 10.1.1 Attachment 1) be confirmed as a true and accurate record.**

**Carried 7/0**  
**Resolved en bloc**

### 10.1.2 Minutes Of The Ordinary Council Meeting Held On 12 December 2023

**Council Decision**            **004/2024**

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

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

**That the Minutes of the Ordinary Council Meeting held 12 December 2023 (Item 10.1.3 Attachment 1) be confirmed as a true and accurate record.**

**Carried 7/0**  
**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 12 December 2023

**Council Decision**            **005/2024**

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

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

**That the Minutes of the Audit And Risk Management Committee Meeting held 12 December 2023 (Item 10.2.1 Attachment 1) be received.**

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

**Against:**            **Nil**

**Carried 7/0**  
**Resolved en bloc**

#### 10.2.2 Minutes Of The Economic And Tourism Development Committee Meeting Held On 12 December 2023

**Council Decision**            **006/2024**

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

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

**That the Minutes of the Economic And Tourism Development Committee Meeting held 12 December 2023 (Item 10.1.2 Attachment 1) be received.**

**Carried 7/0**  
**Resolved en bloc**

## 11 Recommendations From Committee

### Audit And Risk Management Committee Meeting held on 20 February 2024

#### AR.1 Audit Report 2022/23

<b>File Reference</b>	FM09
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	D Kennedy, Director Corporate Services
<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>	<ol style="list-style-type: none"> <li>1. Financial Report 2022/23 Shire of Ashburton</li> <li>2. Audit Opinion 2022/23 Shire of Ashburton</li> <li>3. Management Letter - Financial Audit 2022/23</li> <li>4. Management Letter - IT General Controls 2022/23</li> </ol>

#### Report Purpose

The purpose of this report is to present to the Audit and Risk Management Committee the 2022/23 Annual Financial Report and Audit Report provided by the Officer of the Auditor General (OAG).

The Audit and Risk Management Committee is requested to endorse and recommend the Annual Financial Report and Auditors Report for the 2022/23 financial year to Council for adoption.

#### Background

Council is required to prepare a financial report and present it to the Council's auditor by 30 September each year. This has been completed by officers with the Annual Financial Report and Independent Audit Report presented at Attachment 1 - 2.

The *Local Government Act 1995* (Act) requires that the audit report be examined by the local government to determine if any matters raised in the report require action to be taken. After considering the audit report the local government is to prepare a report on any actions to be taken in response to the audit report and to forward a copy of that report to the Minister for Local Government.

#### Comments

Council has received an unqualified or "clean" audit report from the OAG with the opinion stating that:

*"In my opinion, the financial report is:*

- *based on proper accounts and records*
- *presents fairly, in all material respects, the results of the operations of the Shire for the year ended 30 June 2023 and its financial position as at the end of that period*

- *in accordance with the Local Government Act 1995 (the Act) and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards.”*

#### Emphasis of Matter – Restatement of Comparatives

The audit report contains an Emphasis of Matter note to be brought to Council’s attention as follows:

*“I draw attention to Note 32 of the financial report which states that the amounts reported in the previously issued 30 June 2022 financial report have been restated and disclosed as comparatives in this financial report. My opinion is not modified in respect of this matter.”*

This related to road valuations being overstated in previous years that were identified and corrected as part of the recent infrastructure revaluation process.

#### Management Letter – Financial Audit (Attachment 3)

Each year, the OAG issues a Management Letter of findings that have the potential to impact future audit opinions if not addressed. This provides the opportunity for management to focus control improvement efforts during the coming year.

Significant progress was made during 2022/23 to clear the majority of the 11 items contained in the 2021/22 Management Letter with only two carrying over.

The 2022/23 Management Letter contains seven items. The new findings predominately relate to issues identified during the infrastructure revaluation that occurred during the year for the first time since 2018.

The findings and recommendations have been reviewed by management, and management comments are provided for within the report addressing each finding raised. The outstanding findings will actively form part of the 2023/24 internal audit program.

#### Management Letter – IT General Controls (Attachment 4)

The OAG is progressively completing an IT General Controls audit of all local governments. The Shire was one of the first local governments to go through this process in 2021.

Limited progress had been made to address the 9 outstanding issues raised until July 2023 when the Shire engaged external assistance to plan improvements in all these areas. As the updated management letter indicates, significant improvements have been made, and the plans put in place are expected to resolve many of these issues in full by the next audit at the end of June 2025.

#### **Consultation**

Executive Leadership Team  
Office of the Auditor General  
RSM Australia  
Finance Team  
Governance Team  
Media and Communications 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

Nil

Future Financial Year(s)

Nil

**Legislative Implications**

The statutory implications associated with this item are contained within the *Local Government Act 1995*, section 7.8A – section 7.12AE and the *Local Government (Audit) Regulations 1996*

**Risk Management**

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

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Compliance	2022/2023 Annual Financial Report and Independent Audit Report are not accepted within the prescribed timeframe.	Rare (1)	Minor (2)	Moderate (5-9)	Accept the officer's recommendation.

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

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That with respect to the 2022/2023 Annual Financial Report, the Audit and Risk Management Committee recommends that Council,

1. Receives the 2022/2023 Annual Financial Report including the Independent Audit Report as detailed in Attachments 1-4,
2. Recommends the Annual Financial Report and Independent Audit Report for the 2022/2023 financial year to Council for adoption.

**Council Decision**                      **007/2024**

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

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

**That with respect to the 2022/2023 Annual Financial Report, the Audit and Risk Management Committee recommends that Council,**

- 1. Receives the 2022/2023 Annual Financial Report including the Independent Audit Report as detailed in Attachments 1-4,**
- 2. Recommends the Annual Financial Report and Independent Audit Report for the 2022/2023 financial year to Council for adoption.**

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

**Against:**              **Nil**

**Carried 7/0**  
**Resolved en bloc**



**AR.2 2023 Compliance Audit Return**

<b>File Reference</b>	GV32
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	R Marlborough, Senior Governance Officer
<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>	<ol style="list-style-type: none"> <li>1. 2023 Compliance Audit Return</li> <li>2. Internal Auditor's Review Certification</li> </ol>

**Report Purpose**

The purpose of this report is to present the responses to the 2023 Compliance Audit Return for review by the Audit and Risk Management Committee and for subsequent Council endorsement.

Council is requested to endorse the completed 2023 Compliance Audit Return (CAR) for submission to the Department of Local Government, Sport and Cultural Industries by 31 March 2023.

**Background**

In accordance with regulation 14 of the *Local Government (Audit) Regulations 1996*, local governments are required to carry out a compliance audit for the period 1 January to 31 December each year.

The compliance audit covers a range of matters that require actions to be completed by local governments in performing their functions to maintain legislative compliance with the *Local Government Act 1995* and associated regulations and focuses on areas considered to be high risk.

**Comments**

The 2023 Compliance Audit Return contains the following compliance categories:

- Commercial Enterprises by Local Governments
- Delegation of Power/Duty
- Disclosure of Interest
- Disposal of Property
- Elections
- Finance
- Integrated Planning and Reporting
- Local Government Employees
- Official Conduct

- Tenders for Providing Goods and Services
- Optional Questions.

Responsible officers have responded to the questions in the 2023 CAR indicating either yes, no or not applicable.

The following table summarises the Shire's performance in each of the compliance categories. The Shire is 98.93% compliant for the 2023 Compliance Audit Return.

Category	2023 Questions	Compliance Rating
Commercial Enterprises by Local Governments	5	100%
Delegation of Power/Duty	13	100%
Disclosure of Interest	21	100%
Disposal of Property	2	100%
Elections	3	100%
Finance	7	100%
Integrated Planning and Reporting	3	100%
Local Government Employees	5	100%
Official Conduct	4	100%
Optional Questions	9	88.88%*
Tenders for Providing Goods and Services	22	100%
<b>Total</b>	<b>94</b>	<b>98.93%</b>

One area of non-compliance was identified in the 2023 Compliance Audit Return. In the Optional Questions category\*. Further details are as follows:

*Question 3. Section 5.87C of the Local Government Act 1995 – Gift disclosures made by elected members and the Chief Executive Officer are required to be submitted within 10 days after receipt of the gift.*

*Five gifts were disclosed outside of the prescribed timeframe.*

The Shire will continue to provide regular reminders to elected members and staff on gift disclosure reporting requirements.

The Shire's Internal Auditor has reviewed the completed 2023 CAR, as provided in Attachment 2.

Following the Committees consideration of the 2023 CAR and subsequent Council endorsement, the 2023 CAR must be certified by the Shire President and Chief Executive Officer and submitted to the Department of Local Government, Sport and Cultural Industries no later than 31 March 2024.

**Consultation**

The Chief Executive Officer, Directors, Managers and relevant officers were consulted in the compilation of the CAR responses. The Shire’s internal auditor has reviewed the findings.

**Strategic Community Plan**

Shire of Ashburton Strategic Community Plan 2022-2032

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

**Council Policy**

Nil

**Financial Implications**

Current Financial Year

Nil

Future Financial Year(s)

Nil

**Legislative Implications**

In accordance with regulation 14 and 15 of the *Local Government (Audit) Regulations 1996* the local government is to carry out a compliance audit for the period 1 January to 31 December each year and submit a certified copy of the return to the Department of Local Government, Sport and Cultural Industries by 31 March.

**Risk Management**

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

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Compliance	Not completing the CAR will result in non-compliance with the Shire’s statutory reporting obligations.	Unlikely (2)	Moderate (3)	Moderate (5-9)	Council endorsement of the completed CAR for submission to the Department of Local Government, Sport and Cultural Industries.

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 2023 Compliance Audit Return, the Audit and Risk Management Committee recommends that Council,

1. Endorses the Compliance Audit Return for the period 1 January 2023 to 31 December 2023 as shown in Attachment 1, and
2. Authorises the Shire President and Chief Executive Officer to jointly certify the Compliance Audit Return for submission to the Department of Local Government, Sport and Cultural Industries.

**Council Decision**                    **008/2024**

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

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

**That with respect to 2023 Compliance Audit Return, the Audit and Risk Management Committee recommends that Council,**

- 1. Endorses the Compliance Audit Return for the period 1 January 2023 to 31 December 2023 as shown in Attachment 1, and**
- 2. Authorises the Shire President and Chief Executive Officer to jointly certify the Compliance Audit Return for submission to the Department of Local Government, Sport and Cultural Industries.**

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

**Against:**            **Nil**

**Carried 7/0**  
**Resolved en bloc**

**AR.3 Financial Management Review 2024**

<b>File Reference</b>	CM52
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	D Weerasingha, Internal Auditor
<b>Authorising Officer</b>	I Bishop, Deputy Chief Executive Officer
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 8 August 2023 - Item 6.2-150/2023
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	1. Financial Management Review 2024

**Report Purpose**

Council is required to review the attached Financial Management Review 2024 Report (Report).

The purpose of this report is to present the results per regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996* which states:

*“The CEO is to-*

*undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 3 financial years) and report to the local government with the results of those reviews.”*

Council is requested to receive the Financial Management Review 2024 report (refer to Attachment 1).

**Background**

In accordance with regulation 5 of the *Local Government (Financial Management) Regulations 1996*, the objective of the review is to:

- “(1) Ensure there are effective and efficient control systems:*
  - (a) for the proper collection of all money owing to the local government.*
  - (b) for the safe custody and security of all money collected or held by the local government.*
  - (c) for the proper maintenance and security of the financial records of the local government (whether maintained in written form or by electronic or other means or process);*
  - (d) to ensure proper accounting for municipal or trust —*
    - (i) revenue received or receivable; and*
    - (ii) expenses paid or payable; and*
    - (iii) assets and liabilities.*
  - (e) to ensure proper authorization for the incurring of liabilities and the making of payments.*

- (f) *for the maintenance of payroll, stock control and costing records.*
- (g) *to assist in the preparation of budgets, budget reviews, accounts and reports required by the Act or these regulations.*
- (2) *Ensure that*
  - (a) *the resources of the local government are effectively and efficiently managed; and*
  - (b) *assist the council to undertake reviews of fees and charges regularly (and not less than once in every financial year)."*

**Comments**

This report presents the findings of the Financial Management Review of the Shire for the period of 1 July 2020 to 31 March 2023 (referred to as the "engagement period").

The assessment of the adequacy and effectiveness of internal controls were conducted against the control and monitoring activities mentioned in the accounting manual provided by the Department of Local Government, Sport and Cultural Industries (DLGSC). The assessment results are detailed in Annexure 1 (pages 19-22) of the Report.

Significant review findings are listed under finding sections as summarised in below table. Details of findings are detailed in the Report (pages 8-19).

The effectiveness of internal controls was evaluated for each finding based on the control’s effectiveness matrix provided in the Shire adopted Risk Management Framework.

S/N	Finding	Control Effectiveness
1	Long outstanding items in bank reconciliation	Inadequate
2	Inefficient order-to-pay controls	Adequate
3	Inadequate use of contract variation form	Adequate
4	Negative fuel stock	Adequate
5	Inadequate capitalisation policy	Adequate
6	Irregular assets capitalisation and depreciation	Inadequate
7	Unusual assets records	Inadequate
8	Low interest income on term deposits	Adequate
9	Inadequate rates concession policy or directives	Adequate

Findings 1 and 7 has been closed while the finding number 6 is to be closed by 30 June 2024 per the management comments given by Finance Manager.

Please see the attached full report for complete details on findings, implications, recommendations, agreed corrective actions and target completion date.

**Consultation**

As per the adopted Strategic Internal Audit Plan, the consultation framework is shown below:

Output	IIA Standard	Council	Audit and Risk Management Committee	CEO/ ELT	Audit Sponsor/ Director	Internal Audit
Internal Audit Charter	1000	Adopt	Review / Recommend	Consult / Inform	Inform	Develop
Strategic Internal Audit Plan	2010	Adopt	Review / Recommend	Consult / Inform	Consult / Inform	Develop
Annual Internal Audit Service Delivery Plan	2010	Adopt	Review / Recommend	Consult / Inform	Consult / Inform	Develop
Internal Audit Manual	2040	Adopt	Review / Recommend	Consult / Inform	Inform	Develop
Quality Assurance and Improvement Plan	1300, 1320	Adopt	Review / Recommend	Consult / Inform	N/A	Develop
Annual Internal Audit Status Report	2060	Receive	Review / Recommend	Inform	Inform	Develop / Approve
<b>Audit Engagements</b>						
Planning Memorandum	2200	N/A	N/A	Consult/ Approve	Consult	Develop / Approve
Draft Report	2400	N/A	N/A	N/A	Consult	Develop
Final Report	2400, 2440	Receive	Review / Recommend	Inform	Inform	Develop / Approve

**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**

Regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996* states:

*“The CEO is to-  
undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 3 financial years) and report to the local government with the results of those reviews.”*

**Risk Management**

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

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

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

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That with respect to the Financial Management Review 2024, the Audit and Risk Management Committee recommends that, Council, receives the Financial Management Review 2024 Report, as detailed in Attachment 1.



**Council Decision**            **009/2024**

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

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

**That with respect to the Financial Management Review 2024, the Audit and Risk Management Committee recommends that, Council, receives the Financial Management Review 2024 Report, as detailed in Attachment 1.**

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

**Against:**            **Nil**

**Carried 7/0**  
**Resolved en bloc**

**AR.4 Internal Audit over Compliance Areas Q3 2023/2024**

<b>File Reference</b>	CM53
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	D Weerasingha, Internal Auditor
<b>Authorising Officer</b>	I Bishop, Deputy Chief Executive Officer
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 08 Aug 2023 - Item 6.2 – 150/2023
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	Nil

**Report Purpose**

The purpose of this report is to provide Council with status and results of compliance activities selected to audit on the 2023/2024 Strategic Internal Audit Plan.

Council is requested to receive the Internal Audit over compliance areas Q3 2023/2024 report.

**Background**

The Chief Executive Officer (CEO) is required to ensure adequate systems and processes are established for the effective management and control of the Shire as per the *Local Government Act 1995* and regulation 17 of the *Local Government (Audit) Regulations 1996*.

With reference to International Internal Audit (IIA) Standards 2060, the Internal Auditor is required to periodically update Council with significant risk exposures and control issues, performance of planned audits, changes to audit plan and resource concerns among others.

**Comments**

Please find the reviews conducted on compliance activities per the Strategic Internal Audit Plan 2023-2024.

<b>S/N and Area</b>	<b>Review</b>
1-Private Swimming Pools Barriers Inspection	<p>Drowning of young children is preventable yet remains one of the leading causes of accidental death for young children, with swimming pools generally being the main water body involved. While adult supervision within arm’s reach is the most effective way to prevent these drowning incidents, mandatory pool safety barriers, local government inspections and public education are extremely important in the overall strategy to prevent or reduce these tragedies. The results of these efforts can be seen in the Royal Life Saving National Drowning Report 2020, which showed that there were zero toddler drowning deaths in Western Australia in 2019/2020. While this is an amazing result, it is important that we do not become complacent.</p> <p>Local governments are required to inspect the safety barriers of private swimming pools within their district at intervals not exceeding four years. These inspections monitor the compliance of those safety barriers. Local governments have powers under the <i>Building Act 2011</i> to assist them enforce compliance.</p>

	<p><b>Below points were noted for SOA on Private Swimming Pool barriers inspection per the Manager Regulatory Services</b></p> <ul style="list-style-type: none"> <li>• Regulatory Services had engaged qualified contractor for the inspection and has issued a purchase order to start work. Unfortunately, contractor has not been able to start the work.</li> <li>• Regulatory Services has committed to managing the inspection program due to a lack of response from the contractor, Royal Surf Lifesaving.</li> <li>• The Environmental Health Support Officer will coordinate the inspection program with the help of the Shire Rangers.</li> <li>• Authorisation for the Shire positions conducting the inspections is being finalised through Governance.</li> <li>• City of Karratha has been approached to provide on the job training for nominated staff conducting inspections. There are no formal training programs available.</li> <li>• The Manager Regulatory Services is reviewing all past inspection documentation to develop a 2024 inspection program that will incorporate legislative changes scheduled for June 2024 on pool fence compliance.</li> <li>• It is estimated it will take 6-9 months to complete the inspections in 2024. Then a rotating program of inspections will occur in each town to ensure we are current and compliant with our legislative obligations.</li> </ul> <p><b>Internal Audit Conclusion</b></p> <p>Process needs to be monitored by the Executive Leadership Team (ELT) to make sure adequate resourcing and achievement of objectives.</p>
<p>2-Firebreaks</p>	<p>Local Emergency Management Arrangements (LEMA) together with bushfire management provides an important safeguard to keep community safe from related hazards.</p> <p>Under section 33 of the <i>Bush Fires Act 1954</i> (BF Act) local governments can require a landowner or occupier to maintain a fire-break to reduce fuel loads and provide access for firefighting appliances in the event of a bushfire. Fire-break notices can be served either:</p> <ul style="list-style-type: none"> <li>• to individuals directly, or</li> <li>• on all owners and occupiers of land by publishing the notice in the Government Gazette and a local newspaper.</li> </ul> <p><b>Below points were noted for SOA on Firebreaks per the Manager Regulatory Services and Tom Price Ranger</b></p> <ul style="list-style-type: none"> <li>• ENG08 Bush Fire Policy was repealed by decision of Council at their meeting held on 12 December 2024. The policy mainly related to Bush Fire Brigades and was replaced with a new local law for the management of Bush Fire Brigades. The new local law does not provide guidance on fire breaks;</li> </ul>

	<ul style="list-style-type: none"> <li>• Shire has issued a Firebreak Notice - October 2022 which explain the requirements from owner/occupier. The latest Firebreak notice has been gazetted on 7 November 2023.</li> <li>• However, it was noted the definition of “Flammable Items” are not defined on firebreak notice. This is a best practice recommendation per the Department of Fire and Emergency Services (DFES) guidance notice issued to implement section 33 of BF Act.</li> <li>• Shire does not maintain logs or specific record on areas under Shire responsibility or owner/occupier. Upon inquiry, Tom Price Ranger explained with Intramaps (Shire Assets Mapping System) that the responsibility is limited to three towns. Tom Price, Onslow and Paraburdoo. However, it was noted firebreak public notice on website address townsites and outside townsites with requirements.</li> <li>• Upon inquiry with Manager Regulatory Services, it was explained Shire may not have all the information on the lands that the Shire is responsible for as we are currently involved in a project with the Western Australian Local Government Association and DFES to develop a Bushfire Risk Management Plan that will provide accurate information on this. Shire does not have anything historical and most of the land in the Shire is covered under Mining, Pastoral and State/National Park reserves.</li> <li>• Tom Price Ranger explained that a software is being implemented by DFES to identify and asses risks and to implement risk treatments. However no further information was available to establish the identification, assessment and treatments on bushfire risk management process except the software name Bushfire Risk Management (BRMS) with Mapworks – Amristar.</li> <li>• Tom Price Ranger maintains a spreadsheet for the noncompliance issued with a Synergy reference number. However, no records were available what are the are the properties compliance checked except only where such noncompliance. Tom Price Ranger explained that compliance is monitored for all the areas and only noncompliance are recorded. The sheet marked as 2023-2024 had 76 noncompliance recorded.</li> <li>• Tom Price Ranger explained that two cases were that contractors were involved to clean properties and Shire is in the process of recovering cost from owner/occupier.</li> <li>• Tom Price Ranger explained all parks, reserves, and drainage areas are managed by the Shire of Ashburton’s Town Maintenance Officers (TMO’s). Ranger Services and TMO’s work together to ensure that all of the above listed areas are complainant with the Shires Bush Fires Notice.</li> </ul> <p><b>Internal Audit Conclusion</b></p> <p>Process needs to be regularly audited to make sure compliance to section 33 and appropriate bushfire risk management is in place with additional treatment actions if needed. It is also suggested to follow this process with control assurance in ISO 31000.</p>
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<p>3-Compliance Audit Return</p>	<p>With reference to the 2023 Compliance Audit Return, Internal Audit has conducted review on integrity of the process.</p>		
	<p>Due to widespread scope to verify accuracy and completeness of each response by different respondents, internal audit has limited the review to agree individual responses to final Compliance Audit Return based on Attain (Compliance System) as follows:</p>		
	Area	Respondent	Responses
	C189 Delegation of Power / Duty	Manager Governance	All YES
	C189 Disclosure of Interest	Manager Governance	All YES
	C189 Commercial Enterprise by Local Governments	Executive Manager Land, Property and Regulatory Services	All YES
	C189 Disposal of Property	Executive Manager Land, Property and Regulatory Services	All YES
	C189 Integrated Planning and Reporting	Manager Governance	All YES
	C189 Local Government Employees	Manager Organisational Development	All YES
	C189 Tenders for Providing Goods and Services	Senior Procurement Officer	All YES
	C189 Finance	Manager Finance	All YES
	C189 Official Conduct	Manager Governance	All YES
C189 Optional Questions	Manager Governance	<p>1 <b>NO</b> Answer was informed.</p> <p>3. s5.87C - Where a disclosure was made under sections 5.87A or 5.87B of the Local Government Act 1995, were the disclosures made within 10 days after receipt of the gift? Did the disclosure include the information required by section 5.87C of the Act?</p>	

			Five disclosures in 2023 were received outside of the 10 day disclosure period.
	C189 Elections	Manager Governance	All YES

**Consultation**

Adopted Strategic Internal Audit Plan shows the consultation framework as follows:

Output	IIA Standard	Council	Audit and Risk Management Committee	CEO/ ELT	Audit Sponsor/ Director	Internal Audit
Internal Audit Charter	1000	Adopt	Review / Recommend	Consult / Inform	Inform	Develop
Strategic Internal Audit Plan	2010	Adopt	Review / Recommend	Consult / Inform	Consult / Inform	Develop
Annual Internal Audit Service Delivery Plan	2010	Adopt	Review / Recommend	Consult / Inform	Consult / Inform	Develop
Internal Audit Manual	2040	Adopt	Review / Recommend	Consult / Inform	Inform	Develop
Quality Assurance and Improvement Plan	1300, 1320	Adopt	Review / Recommend	Consult / Inform	N/A	Develop
Annual Internal Audit Status Report	2060	Receive	Review / Recommend	Inform	Inform	Develop / Approve
<b>Audit Engagements</b>						
Planning Memorandum	2200	N/A	N/A	Consult/ Approve	Consult	Develop / Approve
Draft Report	2400	N/A	N/A	N/A	Consult	Develop
Final Report	2400, 2440	Receive	Review / Recommend	Inform	Inform	Develop / Approve

**Strategic Community Plan**

Shire of Ashburton Strategic Community Plan 2022-2032

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

**Council Policy**

Nil

**Financial Implications**

Current Financial Year

Nil

Future Financial Year(s)

Nil

**Legislative Implications**

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

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

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

**Risk Management**

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

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Compliance	Compliance failures if high risk areas identified for assurance is monitored.	Possible (3)	Major (4)	High (10-16)	Implementation of Risk Treatments and use internal audit as 3 <sup>rd</sup> line of defence.

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

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That with respect to Internal Audit Status Update, the Audit and Risk Management Committee recommends that Council, receives the Internal Audit over Compliance Areas Report Q3 2023/2024.

**Council Decision            010/2024**

**Moved                            Cr M Lynch**

**Seconded                        Cr B Healy**

**That with respect to Internal Audit Status Update, the Audit and Risk Management Committee recommends that Council, receives the Internal Audit over Compliance Areas Report Q3 2023/2024.**

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

**Against:                        Nil**

**Carried 7/0  
Resolved en bloc**



## Chief Executive Officer's Recruitment and Performance Review Committee Meeting held on 20 February 2024

*Kenn Donohoe, Chief Executive Officer disclosed a direct financial interest in Item CP.5 (detailed in Item 5.2).*

### CP.5 Review - Standards for Chief Executive Officer Recruitment, Performance and Termination

<b>File Reference</b>	GV20
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	R Marlborough, Senior Governance Officer
<b>Authorising Officer</b>	D Kennedy, Director Corporate Services
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 20 April 2021 - Item 12.3 – 53/2021
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	1. Standards for CEO Recruitment, Performance and Termination

#### Report Purpose

The purpose of this report is to present a periodic review of the Standards for CEO (Chief Executive Officer) Recruitment, Performance and Termination (Standards) to the Committee for consideration and for subsequent recommendation to Council for adoption, if supported.

The Committee is requested to support the updated Standards for Chief Executive Officer Recruitment, Performance and Termination (refer to Attachment 1) and make a recommendation to Council for endorsement.

#### Background

In March 2019, the Local Government Legislation Bill 2019 was introduced to Parliament. This Bill's broad intent was to better equip Council members to undertake their role and to provide greater transparency and accountability to the community. One portion of this Bill introduced requirements into the *Local Government Act 1995* (the Act), for local governments to adopt minimum standards in relation to the recruitment, selection, performance review and early termination, if required of the Chief Executive Officer. Subsequently sections 5.39A and 5.99B of the Act, were proclaimed.

In February 2021, as a consequence of the Local Government Legislation Bill 2019 being passed the *Local Government (Administration) Amendment Regulations 2021* were introduced. These regulations amended the *Local Government (Administration) Regulations 1996 (the Regulations)*. In the case of the Standards, Regulation 18FA was introduced to provide the broad context, and Schedule 2 of the Regulations prescribed the model Standard to be formally adopted.

In April 2021 Council considered the matter of formally adopting Standards for Chief Executive Officer Recruitment, Performance and Termination.

**Comments**

Although there is no statutory requirement to review the Standards, it is considered good governance to undertake periodic reviews. The review completed did not identify any statutory need to amend the content of the existing Standards.

However, the Standards presented for the Committee consideration and Council's subsequent endorsement have been updated to a more contemporary format, to meet the Shire's Corporate Style Guide and improve presentation and readability.

The updated Standards for the Committee's consideration is provided in Attachment 1.

These Standards will continue to provide an effective functional framework to support the vital position of the Chief Executive Officer and guide recruitment, performance and termination.

**Consultation**

Chief Executive Officer  
Manager Organisational Development

**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	1.1 Coordinated delivery of social services and projects for the community
Strategy	1 Develop and maintain key social services partnerships, both internally and externally, to support Council's vision.

**Council Policy**

[Council Policies » Shire of Ashburton](#)

Nil

**Financial Implications**

Current Financial Year

Nil

Future Financial Year(s)

Nil

**Legislative Implications**

*Local Government Act 1995*

Section 5.39A - Model standards for CEO recruitment, performance and termination

Regulations must prescribe model standards for local governments in relation the recruitment of CEOs, the review of the performance of CEOs and the termination of the employment of CEOs.

**Section 5.39B. Adoption of model standards**

In this section it is and was a requirement for local governments to prepare and adopt (by absolute majority) Standards to be observed by the local government that incorporate the model Standards prescribed in section 5.39A(1) of the Act ,within 3 months.

*Local Government (Administration) Regulations 1996*

Regulation 18FA provide the context for the model Standards in relation to CEO’s and Schedule 2 of the Regulations prescribes the content of the Model Standards to be adopted by a 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
Compliance	The Standards not being statutory compliant, fit for purposes or effective.	Unlikely (2)	Moderate (3)	Low (1-4)	Periodic reviews ensure statutory compliance, improve overall organisational awareness and ensure documents are fit for purpose and effective.

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 Standards for Chief Executive Officer’s Recruitment, Performance and Termination, the Chief Executive Officer’s Recruitment and Performance Review Committee recommends that Council, adopts the reviewed Standards for CEO Recruitment, Performance and Termination, as provided at Attachment 1.

**Council Decision**            **011/2024**

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

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

**That with respect to Standards for Chief Executive Officer’s Recruitment, Performance and Termination, the Chief Executive Officer’s Recruitment and Performance Review Committee recommends that Council, adopts the reviewed Standards for CEO Recruitment, Performance and Termination, as provided at Attachment 1.**

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

**Against:**            **Nil**

**Carried 7/0**

## 12 Office of the Chief Executive Officer Reports

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

At 2:21 pm, Cr Alana Sullivan left the meeting.

### 12.1 Assignment of Retail Lease Paraburdoo

<b>File Reference</b>	ASH.0811
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	R Wright, Executive Manager Land, Property and Regulatory Services
<b>Authorising Officer</b>	J Sangster, Deputy Chief Executive Officer
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 11 July 2023 – Item 12.1 – 123/2023 Ordinary Council Meeting 14 June 2022 – Item 18.2 – 086/2022
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	1. Lease Area Plan

#### Report Purpose

Council is required to consider the assignment of an existing lease for a retail tenancy at Lot 811 (84) Ashburton Court, Paraburdoo for a remaining period of approximately three years (inclusive of options).

The purpose of this report is to provide Council with information to consider the future tenancy of this premises.

Council is requested to approve the reassignment of the current lease for the subject premises, with Ms Olivia Halliday 'Hair by Liv' to proposed new tenant, Ms Lorrae Batten, who will rebrand as 'The Collective 6754'.

#### Background

The Shire owns Lot 811 (84) Ashburton Court, Paraburdoo in freehold. Hair by Liv is located on a portion of Lot 811 comprising approximately 105 square metres as shown as Lease Area B (refer to Attachment 1).

Ms Halliday, the current owner of Hair by Liv, notified the Shire in January 2024 that she intends to assign the lease and sell the internal fit out and assets (as required) from the shopfront to Ms Lorrae Batten.

Ms Lorrae Batten intends to use the space to provide an affordable collective space that provides a platform for showcasing and offering small businesses a retail area for their goods and services.

Ms Oliva Halliday has elected to assign the lease in accordance with clause 15.1 which requires written consent of the lessor (Council) as follows:

*“The rights in this lease are personal to the Lessee, and Lessee may not transfer, assign, sublet, or otherwise part with possession or any way dispose of any of its rights or obligations under this Lease without written consent of the Lessor which consent of the Lessor shall not be unreasonably withheld, subject to the Lessee’s compliance with clause 15.3.”*

Ms Olivia Halliday originally assigned this lease from a previous business (the Gallery) at the Ordinary Council Meeting held 11 July 2023.

### Comments

Shire officers have been advised that Ms Halliday is unable to fulfill her obligations under the lease for the remainder of the term. Information provided indicates that Ms Batten is willing to take on the current lease through assignment directly negotiated with the existing tenant and independent of the Shire, noting however that the proposal will be subject to Council approval.

The remaining term is seven months with three further terms of one year each (3 years, 7 months remaining, including all options).

Shire officers support the proposal of assignment of lease to Ms Batten for the remainder of the lease based on her submission (refer to Attachment 2) which advised the following:

- Proposed lease to be assigned to “The Collective 6754”. The space will be used for small home businesses wishing to expand by promoting and selling at a dedicated shopfront as described in the assignment submission: *“Provide an affordable collective space that nurtures and empowers retail and small businesses in the Shire of Ashburton. Our goal is to provide a platform for showcasing and offering their goods and services, creating abundant opportunities for the community to thrive.”*
- Ms Batten has requested to sublease two of the existing interior rooms to sole business traders. While allowing “Rent-A-Spot” being available for daily, weekly or ongoing options for a display or space within the main shopfront space.
- “Rent-A-Chair” hairdressing fit out will remain for hairdressers on an as needed basis.
- Proposed trading times would be as follows:
  - Monday – Closed
  - Tuesday – Friday 3.30pm – 5.30pm
  - Saturday – Sunday 9.00am – 2.00pm
- Ms Batten has proven to successfully run her registered home cake business for the past five years in Paraburdoo and would continue with her full-time employment.
- Collective 6754 will retain and rearrange most of the existing fit out at the premises.
- Ms Batten is proposing to increase social media presence and promotion of trading hours along with the goods and services on offer.

### Consultation

Ms Olivia Halliday  
Ms Lorrae Batten

**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	2.3 Attractive and sustainable townscapes offering opportunities for all communities
Strategy	3 Maintain town centres for the enjoyment of locals and visitors, which the community can take pride in.

**Council Policy**

Nil

**Financial Implications**

Current Financial Year

The rent under the current agreement is \$9,450 per annum.

Should the lease not be assigned it has become apparent that Ms Halliday will not take up any further options on the existing lease. This will mean that the property will become vacant from September 2024 until another tenant will need to be established. By agreeing to the lease assignment, the Shire will continue to derive a rental income from the space and the community will be provided with a retail/services outlet.

Future Financial Year(s)

The rent will continue to be derived annually in accordance with the lease for the next three years.

**Legislative Implications**

Section 3.58 of the *Local Government Act 1995* does not apply through assignment of lease as the previous lease allows for assignment and was previously advertised.

**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	Lease not assigned to the new lessee, rent unpaid and space becomes vacant.	Unlikely (2)	Minor (2)	Low (1-4)	Enter into an assignment of lease with the new tenant at the proposed location.

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 Assignment of a Retail Lease in Paraburdoo, Council,

1. Authorises the assignment of lease of a portion of Lot 811 (84) Ashburton Court, Paraburdoo shown as Area B on Attachment 1, from Ms Halliday trading as Hair by Liv to Ms Lorrae Batten trading as The Collective 6754.
2. Authorises the sublease of two rooms within the leased area of Lot 811 (84) Ashburton Court, Paraburdoo, shown as Area B on Attachment 1 in accordance with the lease.
3. Authorises the Chief Executive Officer to execute and engross all documentation as required to effect Item 1 and Item 2 above.

**Council Decision**                      **012/2024**

**Moved**                                      **Cr K White**

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

**That with respect to the Assignment of a Retail Lease in Paraburdoo, Council,**

- 1. Authorises the assignment of lease of a portion of Lot 811 (84) Ashburton Court, Paraburdoo shown as Area B on Attachment 1, from Ms Halliday trading as Hair by Liv to Ms Lorrae Batten trading as The Collective 6754.**
- 2. Authorises the sublease of two rooms within the leased area of Lot 811 (84) Ashburton Court, Paraburdoo, shown as Area B on Attachment 1 in accordance with the lease.**
- 3. Authorises the Chief Executive Officer to execute and engross all documentation as required to effect Item 1 and Item 2 above.**

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

**Against:**             **Nil**

**Carried 6/0**

At 2:23 pm, Cr Alana Sullivan returned to the meeting.



## 12.2 Onslow Airport Master Plan and Business Case

<b>File Reference</b>	TT06
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	M Walsh, Manager Airport Services
<b>Authorising Officer</b>	K Donohoe, Chief Executive Officer
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 14 March 2023 - Item 11.4 – 034/2023
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Onslow Airport Master Plan 2023</li> <li>2. Onslow Airport Business Case</li> </ol>

### Report Purpose

Council is required to review the airport Master Plan and Business Case.

Council is requested to adopt the Onslow Airport Master Plan 2023 and the Onslow Airport Business Case and endorse 2,200m as the preferred runway length.

### Background

Owned and operated by Shire of Ashburton the Onslow Airport currently has regular services, provided by Virgin Australia and Alliance Airlines, which have been chartered by Mineral Resources and Chevron for their FIFO needs, with an allocation of seats provided to the community on four services. As air services to Onslow is largely driven by the needs of the FIFO community and due to limited connectivity and limited schedule of flights, community members and small business often must travel to neighbouring airports to take the flights required (e.g Karratha)

Flights through Onslow Airport predominantly use the Fokker 100 aircraft (F100). The F100 is being retired over the next seven years in favor of a more efficient service, new generation fleet that is heavier and larger, meaning that in order for these new aircraft to be able to operate without restrictions, Onslow Airport will need a stronger pavement and potentially a longer runway. Additionally, the current terminal will not be able to cater for the expected increase in passenger volumes, driven by the larger aircraft, and it is too small to accommodate any future upgrades to security equipment. Enabling the runway to support larger aircraft may open up additional seats / services not only for FIFO workers but also for the community thereby increasing the connectivity of Onslow to Perth and the regions.

Conscious of the significant investment that would be needed and limited time, the Chief Executive Officer and Manager Airport Services have commenced preliminary planning. A key element of the planning is the development of a business case and the updating of the Airport 2016 Master Plan.

## Comments

### Onslow Airport Master Plan 2023

A Master Plan is a key strategic document that establishes a framework and blueprint for the future development of an airport. It considers current and future airport activities, as well as opportunities for future growth in aeronautical and non-aeronautical related services. This Master Plan provides an update and refresh to the 2016 Onslow Airport Master plan, reflecting key developments and changes made to the airport since the development of the 2016 plan, and revising future infrastructure requirements and implementation plans in alignment with the proposed runway and airport terminal upgrade plans. Two notable changes and updates in the 2023 Master Plan are:

- The proposed runway and terminal upgrades, which together play a key role in delivering the short-term aerodrome infrastructure development required at Onslow Airport to cater for stakeholders requirements and future airline fleet plans.
- An updated airport operation and management strategy with an emphasis on the non-aeronautical future vision. This outlines a practical direction for surrounding land development and the benefit of diversifying the airport's revenue streams, which will consequently strengthen the resilience of the airport financials and efficiency of operational activities.

Furthermore, the 2023 Master Plan incorporates a review of the current operating, regulatory and environmental context to assess and consider potential impacts on the airport operations and development plans. It also provides an updated view on aviation activity and traffic forecasts, development cost estimations and implementation plans, and reflects the most recent vision and aspirations of the Shire and Onslow Airport Management.

### Onslow Airport Business Case

The Business Case represents an opportunity to explore and demonstrate the economic value and financial feasibility of the planned investment, while exploring the opportunities. A strong Business Case will ensure that Council is provided with detailed analysis to support the investment decision, which clearly outlines the benefits for the community and the region. Assumptions were tested through various scenarios and growth options to ensure the analysis is robust.

### Investment Drivers

1. The current runway pavement is at the end of its useful life, including cracking, surface cavities and rubber deposits.
2. The runway length and pavement strength do not meet the requirements of the new generation fleet replacing the Fokker 100 from 2023/24. The pavement classification number (PCN) has degraded to 24.9 and is estimated to fall to 20 by 2028.
3. Due to point 1 and 2, without investment in the runway at Onslow Airport the F100 would be replaced by a smaller aircraft that is able to operate on a lower quality runway. This would require increased flights however with Perth Airport at capacity, until the new Perth runway is delivered in 2032, the lack of available slots at Perth Airport is a constraint on Onslow Airport.
4. RPT seats are limited, have excess demand and are contingent on the availability of flights chartered by resource companies.

5. The terminal departure lounge does not meet the International Air Transport Authority (IATA) guidelines for airport terminal facilities space standards and waiting times for the increased number of passengers and incoming security requirements.

### Investment Scenarios

The Business Case considered a number of capital and non-capital strategic responses relating to scope, demand and supply management, site selection and scheduling before reaching the short list of scenarios.

The Business Case assesses three scenarios against the 'do nothing' Base case:

- Base case ('do nothing'): No further capital investment in the runway or terminal. In the base case, pavement quality continues to deteriorate such that the airport is serviced by smaller aircraft (such as the Bombardier-8 Q400). This leads to fewer passengers being able to access flights into and out of Onslow Airport in the short-medium term until the new Perth runway is delivered in 2032.
- **Scenario 1:** Strengthening the pavement to a PCN of 40 with the runway length maintained at 1,900 metres. The terminal is expanded.  
Early-stage estimate (30m Width)      \$25,688,010.
- **Scenario 2:** Strengthening the pavement to a PCN of 40 and lengthening the runway to 2,200 metres. The terminal is expanded.  
Early-stage estimate (30m width)      \$32,755,630.  
Early-Stage estimate (45m width)      \$43,246,576
- **Scenario 3:** Strengthening the pavement to a PCN of 40 and lengthening the runway to 2,460 metres. The terminal is expanded.  
Early-Stage estimate (30m width)      \$38,504,038  
Early-stage estimate (45m width)      \$50,308,039

In each of the investment scenarios, the F100 is replaced.

Scenario 2 with the runway length upgrade to 2,200m emerged as the preferred option due to the following:

- A runway of 2,200m long delivers intra-regional equity with a runway length in line with many other WA regional airports. It also provides better access to Perth and throughout Australia, better operational outcomes and resilience with unrestricted operations compared to the 1,900m option, opportunities to service East Coast flights, and additional contingencies for Defence.
- A runway length of 2,200, is preferred over the longer 2,460, option in the economic and analysis, with a higher net present value (NPV) and benefit -cost ratio (BCR). It also provides better value for money, and relatively strong coverage of key qualitative factors without incurring the additional expense.
- A runway length of 2,200 helps to future proof the airport by potentially accommodating any new aircraft that enter the market in the short to long-term providing network resilience. It also opens the Onslow market to other airlines who operate larger aircraft.

Grandfathering provision over runway width

The current Civil Aviation safety Authority (CASA) Requirements prescribe a 150-metre-wide runway graded strip. The current CASA requirement in part 139 (Aerodromes) Manual of Standards (MOS) is for the runway strip to be 280m wide. The consequential changes would primarily be to the configuration and include some earthworks regrading, relocation of windsock, holding points and gable markers.

Onslow Airport’s 30 metre width runway has a grandfathering provision from CASA. Noting that despite CASA MOS139 specifying a minimum runway width of 45m both the B737-700 and A320-200 are certified to operate on the 30m wide runway. However, with the new investments into the runway, CASA may deem that grandfathering should not continue.

Widening the runway strip from 30 metres to 45 metres for the 2200m runway is reflected in the business case estimation of Scenario 2 and 4 respectively. The cost and effort are primarily due to the earthworks and construction of 7.5m of additional runway pavement either side of the full length of the runway may also lead to a number of additional benefits that have not been captured quantitatively in the analysis. Wider runways provide additional room to land which may promote better safety outcomes. The wider the runway means there is more “Edge Condition Protection”. The wider the runway means there is more Edge Condition Protection.

Notwithstanding the business case outcomes and recommendations, it is worth noting that some airlines are considering introducing alternative aircraft such as the Airbus 319 (130-134 seats) and Embraer E2 (100 seats) to the Australian market in the next five years, which can operate unrestricted off a shorter runway. Additionally, there are ongoing discussions with the mining/resources companies to understand their preferences in relation to the runway upgrade and lengthening,

The Onslow Airport Master Plan 2023 and the Onslow Airport Business Case are attached for Councils information, at Attachments 1 and 2 respectively. Future changes to the design and graphics of these documents is envisaged, however the content will be unchanged.

**Consultation**

Chief Executive Officer  
 Manager of Business and Economic Development  
 Executive Manager Land, Property and Regulatory Services  
 Coordinator Planning and Lands  
 Aviation Consultancy Services  
 Price Waterhouse Coopers

**Strategic Community Plan**

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	3. Prosperity - We will advocate and drive opportunities for the community to be economically desirable, resilient, and prosperous.
Strategic Outcome	3.2 Aviation transport opportunities for the community
Strategy	3 Deliver a business model of self-sufficiency using effective marketing, smart growth and revenue generating initiatives.

**Council Policy**

Nil

**Financial Implications**

Current Financial Year

A Request for Tender RFT 08.23 Onslow Airport Consultancy Services was issued in May 2023. This request specified the Shire requirements and invited suitably experienced and equipped consultant to undertake a Business Case and Airport Master Plan for the Onslow Airport.

A contract was subsequently awarded to Price Waterhouse Coopers for the lump sum amount of \$295,000, excl GST.

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
Financial impact	Loss of financial support from industry and government due to lack of supporting documentation	Likely (4)	Major (4)	High (10-16)	Council Adopt Business Case
Reputation (social/community)	Development Opportunities will be overlooked or not undertaken	Possible (3)	Moderate (3)	Moderate (5-9)	Council Adopt airport Master Plan 2023
Financial impact	The Airport will not have any clear direction for staged future development in line with investment and funding opportunities.	Possible (3)	Moderate (3)	Moderate (5-9)	Council Adopt Airport Mater Plan and Airport Business Case

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 Onslow Airport Master Plan and the Onslow Airport Business Case, Council,

1. Adopt the updated Onslow Airport Master Plan 2023 and the Onslow Airport Business Case as provided in Attachments 1 and 2 respectively, and introduce any project cost factors into the Shire’s Long Term Financial Plan.
2. Endorse 2,200m as the preferred runway length and 45m the preferred runway width.
3. Authorise the Chief Executive Officer to work with State Government and industry to work through funding partnerships for the project.

**Council Decision**                      **013/2024**

**Moved**                                      **Cr K White**

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

**That with respect to Onslow Airport Master Plan and the Onslow Airport Business Case, Council,**

- 1. Adopt the updated Onslow Airport Master Plan 2023 and the Onslow Airport Business Case as provided in Attachments 1 and 2 respectively, and introduce any project cost factors into the Shire’s Long Term Financial Plan.**
- 2. Endorse 2,200m as the preferred runway length and 45m the preferred runway width.**
- 3. Authorise the Chief Executive Officer to work with State Government and industry to work through funding partnerships for the project.**

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

**Against:**             **Nil**

**Carried 7/0**

### 12.3 Onslow Airport Air Services Demand - Stage 2

<b>File Reference</b>	TT06
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	M Walsh, Manager Airport Services
<b>Authorising Officer</b>	K Donohoe, Chief Executive Officer
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	1. Detailed analysis of financial impact - Confidential

#### Report Purpose

Council is requested to consider releasing an expression of interest (EOI) to airlines requesting proposals to procure a new 4<sup>th</sup> standalone Regular Passenger Transfer (RPT) service into Onslow Airport, identifying their requirements and terms of service, and subsequently setting aside a budget to underwrite (or partially underwrite) this new service.

Council is requested to approve the engagement of Synce Consulting (formerly PWC aviation team) to assist with Stage 2 of the Services Demand.

#### Background

Price Waterhouse Coopers (PwC) were engaged by the Shire to support discussions with key stakeholders of Onslow Airport to understand the air service needs across 3 calendar years from 2023 to 2025, collating data regarding future demand through the airport. The context of the study was to understand the forecast air service demand at Onslow Airport to support a case to the airlines and/or other stakeholders for expanded services due to the ongoing challenges of limited connectivity in the current schedule for the community and local business users.

The executive summary of the demand study was presented to Council at a briefing held 14 February 2023, and demonstrated that the Onslow current/projected demand is in excess of scheduled flights, and there is a need for additional services to serve the community, resource and mining sector and business users.

The study has also highlighted the following key items:

1. Flights at Onslow Airport currently experience high utilisation within a limited schedule. The excess demand above current capacity at Onslow is serviced primarily through Karratha. Passengers' preference for Karratha is due its superior schedule and its ability to accommodate larger aircraft - advantages not currently available to Onslow Airport.
2. The future viability of the airport rests within the success of key future large energy/resources projects. Focus should be placed on working with projects that are close to their investment decision to promote Onslow Airport as the optimum location for operations. Demonstrating adequate schedule of operations provides a basis to attract additional growth.

3. There is an ongoing opportunity by the Shire to support non-mining passenger growth, particularly those operating within the tourism sector, as a way to bolster demand. In addition, attracting other mining services operations through increased flight services (i.e. helicopter fleets, given Onslow is closer than their current operation location) will further enhance demand as these operators will also relocate their maintenance operations.

## Comments

In discussions with airlines to gauge their interest in introducing a 4th service into Onslow Airport, supporting the growth in local business and community seats, it has been noted that the level of demand identified was not yet enough to put forward a financially viable service without subsidy. It also highlighted that a minimum level of revenue to be generated through a service is required for it to be considered a viable route and have indicated that the Shire may need to underwrite the cost of flights/seats for a defined period to launch these services.

While the stakeholders' consultation process and demand study have indicated there is enough demand from the community, businesses, and other miners, it will be difficult to prove to the airlines that the minimum seat level will be achieved without underwriting these services in the short term. To explore the ability for the Shire to support airlines increasing services to Onslow Airport the Shire should consider the following approach:

1. Engage with the broader airline industry, developing and releasing an EOI to all airlines requesting a proposal to introduce a new service into Onslow Airport and the airline requirements.
2. Acknowledge that a 'take of pay' mechanism could be used as a way for the Shire to underwrite the services:
  - A 'take of pay' mechanism describes an arrangement between an airline and the Shire where the airline nominates a minimum level of seats that is needed to be underwritten for a service to be viable (the Shire could also nominate the level of seats they would like introduced into the market).
  - Should there be a level of unsold seats, then the Shire agrees to pay the airline for the value of unsold seats up to the nominated minimum level of seats (e.g. where minimum seat level was [70] seats and the new service sold [50] seats, the Shire would agree to pay the gap of [20] seats).
  - The payment can be direct cash contributions or an in-kind payment (e.g. a reduction or a credit for the landing charges).
  - This arrangement can have a time duration (e.g. the Shire may agree to this arrangement for a period of 6 months). This allows the community to become familiar with the services to enable their travel patterns to be adjusted.
  - Certain KPIs can be introduced (e.g. timely service of aircraft, ticket pricing tiers) which could be used to manage and monitor the performance of the arrangement.



- Seats sold well in excess of the nominated minimum seat level could fall into a gain-share arrangement (i.e. where minimum seat level was [70], and new services consistently sold [90] seats, the Shire may debit revenue of [5] seats against the airline's prior credits given for landing charges). This is to ensure that there is shared upside for the Shire and that any early downside to the Shire can be recovered if the service outperforms over time.
  - The settlement of the net credits/debits would be made at a regular period (i.e. monthly) and final settlement could occur at the end of the trial period.
3. Consider an alternative approach, in which the Shire agree to pay a direct contribution to the airlines regardless of the level of seats that are sold for an agreed duration.
  4. Develop the evaluation criteria for EOIs which may incorporate metrics such as cost to underwrite, type of aircraft, capacity/seats introduced, proposed schedule...etc
  5. Agree a nominated budget that could be allocated to underwrite (or partially underwrite) this service.

An EOI sent to all airlines would allow the Shire to compare offers and criteria across several airlines, avoid any bias and favouritism, and ensure value for money for the Shire and community. For a detailed analysis of the financial impact refer to Attachment 1.

#### Engagement of Consultancy Services

Additional consultancy support, out of existing contacts, is required to assist the Manager Airport Services.

It is requested Council approve the engagement of Synce Consulting (formerly PWC, Aviation Team) for an estimated cost of \$50,000. Noting, due to the nature of stakeholders' negotiations and the variability in workload requirements which may extend over several weeks/months, it is suggested a time and materials approach for this part of the engagement with an upper limiting cap of \$50,000 (ex. GST), and a duration of up to 3 months. The actual charges will be based on consumption up to the limit fee. The airport's operational budget has the capacity to cover these costs.

To engage another organisation would cost the shire significantly more due to works already completed as part of the air services demand study (Stage 1), the Airport business case and master plan.

The engagement of Synce Consultancy would be to carry out the following next steps and recommendations.

- Support in the development and release of an EOI to the airline's community, requesting a proposal to introduce a new service into Onslow Airport and their respective requirements in terms of concessions, operations...etc
- Support and assist in the development of the EOI evaluation criteria.
- Support and participate in the discussions, negotiations, and meetings with airlines' regarding the proposed additional service.

#### **Consultation**

Chief Executive Officer  
Manager of Economic Development and Tourism  
Virgin Australia Regional Airlines  
Price Waterhouse Coopers

**Strategic Community Plan**

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	3. Prosperity - We will advocate and drive opportunities for the community to be economically desirable, resilient, and prosperous.
Strategic Outcome	3.2 Aviation transport opportunities for the community
Strategy	1 Improve the regional economic impact of the Onslow airport through building collaborative partnerships.

**Council Policy**

Council Policy – Purchasing and Procurement

The Shire is committed to delivering best practice in the purchasing of goods, services and works that align with the principles of transparency, probity and good governance whereby establishing efficient, effective, economically, and sustainable procedures in all purchasing activities.

**Financial Implications**

Current Financial Year

The \$50,000 required for the consultancy fees can be sourced from the airports operational budget which can support this expenditure.

Until the expression of interest process has been completed and negotiations have been undertaken with airlines it is unclear what the exact costs to Shire will be as the airlines will not disclose costs of an aircraft operations unless it has entered into a commercial arrangement. A best cost estimate is highlighted in Attachment 1.

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)	Unable to fulfil commitment to stakeholders of the airport and the community due to unavailability of air services.	Possible (3)	Moderate(3)	Moderate (5-9)	Accept the officer's recommendation and undertake a formal EOI process.

Financial Impact	Airport loses out on potential income.	Likely (4)	Major (4)	High(10-16)	Accept the officer's recommendation and undertake a formal EOI process and continue working with resource companies and airlines.
Reputation (social/community)	Airport not meeting Councils vision for the community.	Possible (3)	Moderate(3)	Moderate (5-9)	Accept the officer's recommendation and undertake a formal EOI process.

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be medium and can be managed by continuing discussions with stakeholders of the airport.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That with respect to Onslow Airport, Air Services Demand – Stage 2 Council,

1. Approve releasing an expression of interest (EOI) to airlines requesting proposals to procure a new 4<sup>th</sup> standalone Regular Passenger Transfer (RPT) service into Onslow Airport.
2. Approve the engagement of Synce Consultancy Services to undertake consultancy services related to Onslow Airport, Air Services Demand – Stage 2.
3. Authorise the Chief Executive Officer to negotiate, execute and manage the Expression of Interest to procure a new 4<sup>th</sup> standalone Regular Passenger Transfer (RPT) service into Onslow Airport.
4. Authorise the Chief Executive Officer to negotiate and approve the subsidy mechanism including the amount for the Shire's portion of an underwritten service.

**Council Decision            014/2024**

**Moved                            Cr A Sullivan**

**Seconded                        Cr M Lynch**

**That with respect to Onslow Airport, Air Services Demand – Stage 2 Council,**

- 1. Approve releasing an expression of interest (EOI) to airlines requesting proposals to procure a new 4<sup>th</sup> standalone Regular Passenger Transfer (RPT) service into Onslow Airport.**
- 2. Approve the engagement of Synce Consultancy Services to undertake consultancy services related to Onslow Airport, Air Services Demand – Stage 2.**
- 3. Authorise the Chief Executive Officer to negotiate, execute and manage the Expression of Interest to procure a new 4<sup>th</sup> standalone Regular Passenger Transfer (RPT) service into Onslow Airport.**
- 4. Authorise the Chief Executive Officer to negotiate and approve the subsidy mechanism including the amount for the Shire’s portion of an underwritten service.**

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

**Against:                    Nil**

**Carried 7/0**

## 12.4 Key Worker Accommodation Project - Onslow

<b>File Reference</b>	TT06
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	M Walsh, Manager Airport Services
<b>Authorising Officer</b>	K Donohoe, Chief Executive Officer
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	Nil

### Report Purpose

Council is required to consider the urgent inclusion of key worker accommodation project in Onslow to be located at the Onslow Airport

Council approval to authorise the Chief Executive Office and Manager Airport Services a to investigate the development and construction of up to 100 units for key worker accommodation at Lot 9500 Onslow.

Council is requested to Council is requested to consider this project on the location of the airport site where it previously has constructed 100 temporary removable units in 2012

### Background

Due to the simultaneous advancement of multiple projects including iron ore developments, offshore decommissioning, and future energy projects, accommodation in the town of Onslow is now at a premium.

Most of Council's accommodation types are booked out 12 months in advance and could have been longer if the Shire had chosen to take longer term bookings.

The Council anticipates a municipal expenditure in excess of \$100 million for capital development over the next four years. However, the execution and completion of these projects are at risk due to a lack of suitable accommodations for contractors to undertake pre-designed and construction works.

With agencies, including the Shire, purchasing from existing housing stock in Onslow, the shortage of accommodation is becoming increasingly critical. This trend is also exacerbating the impact of higher weekly rental costs on Shire staff and small businesses in the town.

Based on the rising 'Pilbara Price Index', it is presumed that these rental rates will continue to increase over the next 12-24 months, unless new housing or alternative contractor accommodation is secured.

Due to the shortage, the Chief Executive Officer and Manager Airport Services has initiated the formation of a pre-project team tasked with overseeing the initial stages of this project, should Council wish to pursue this endeavour. This team aims to deliver to Council a comprehensive concept and costings.

## Comments

Shire Officers are keenly aware that the current demand for accommodation may peak at times. Based on this understanding, initial concepts for the project recommend constructing 25 units initially, followed by an additional 50 units, and then another 25 units over a three-to-four-year period. These units would be fully self-contained, comprising a combination of one-bedroom and two-bedroom units. This phased approach allows for the flexibility to halt development of any specific group of units in response to market pressures, or conversely, to expedite procurement based on current demand and financial projections.

The project aims to initially construct long term accommodation facility for construction personnel that would be owned by Council. However, in the event that the demand for such accommodation diminishes, the accommodation will be repurposed to serve low-income key essential workers, who are also in high demand.

This dual-purpose approach ensures that the accommodation remains affordable specifically for the key essential workers, addressing the challenges of high rental costs in town. The Project Management team's primary objective will be to fully outline the scope of works and design criteria, ensuring that the project is ready for consideration by the council in the future.

Currently, there are several ongoing projects in the area that require accommodation for construction personnel.

These projects include:

Mineral Resources	2023 – 27
Onslow Caravan Park Upgrade	2024 – 25
Water Corporation – Desalination Plant	
Ashburton North Strategic Industrial Area	2024 – 29
Miscellaneous, minor business developments	2024 – 29
Miscellaneous offshore decommissioning projects	2024 – 34

Additionally, future developments are anticipated, such as below. which will also necessitate accommodation for construction personnel. As the demand for such housing fluctuates with the progress of these projects, our accommodation plans will remain flexible to meet the evolving needs of the workforce.

Onslow Airport – Runway Upgrade	2025 – 27
K +S. The Ashburton salt Solar salt project	2026 – 29
Onslow Main Street redevelopment	2025 - 26
Onslow foreshore promenade development	2025 – 27
Construction of Onslow Jetty	2025 – 26
Residential housing build	2025 – 29
Onslow Convention Centre	2026 – 27
Onslow Spirit Tanks	2026 – 28

In addition to accommodating construction personnel and key essential workers, the facility can also serve as transit accommodation for Shire employees traveling between towns.

## Consultation

Nil

**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	1 Develop and maintain key economic services partnerships, both internally and externally, to support Council's vision.

**Council Policy**

Council Policy – Purchasing and Procurement

The Shire is committed to delivering best practice in the purchasing of goods, services and works that align with the principles of transparency, probity and good governance whereby establishing efficient, effective, economical, and sustainable procedures in all purchasing activities.

**Financial Implications**

Current Financial Year

Initial seed funding for the concept has been sourced from Airport consultancy services budget allocation. However, should Council agree to develop the project to the next phase of project management. Council will need to allocate additional budgetary funds.

From a project management perspective, the costings required to develop this project plan will be in the vicinity of \$300,000.

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
Project (cost)	Exorbitant costs for accommodation added to the total cost of projects.	Likely (4)	Moderate (3)	High (10-16)	Follow the officers' recommendations and proceed with the scoping, costing and concept for the accommodation project.

Project (time)	Projects and developments delayed due to lack of accommodation for associated workforces	Almost Certain (5)	Moderate (3)	High (10-16)	Follow the officers' recommendations and proceed with the scoping, costing and concept for the accommodation project
People	Difficulty for Shire in attracting and retaining staff due to lack of accommodation and accommodation costs.	Likely (4)	Moderate (3)	High (10-16)	Follow the officers' recommendations and proceed with the scoping, costing and concept for the accommodation project
People	Limited availability of essential workers (e.g., medical staff, emergency responders) due to accommodation shortages & costs.	Possible (3)	Moderate (3)	Moderate (5-9)	Follow the officers' recommendations and proceed with the scoping, costing and concept for the accommodation project
Reputation (social/community)	Not meeting to communities' expectations by delivering projects and well delivered services.	Possible (3)	Moderate (3)	Moderate (5-9)	Follow the officers' recommendations and proceed with the scoping, costing and concept for the accommodation project

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be high and can be managed by engaging experienced consultants to undertake preliminary design and concept.

Additionally, regular checkups and monitoring of the consultants' progress and deliverables can help ensure that the project stays on track and that any emerging risks are promptly addressed.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That with respect to Key Worker Accommodation Project - Onslow, Council,

1. Allocated \$300,000 during Council's 2023/2024 midyear budget review, to procure a Project Management team to fully outline the scope of works and design criteria, ensuring that the project is ready for consideration by the Council in the future.
2. Authorise the Chief Executive Officer to identify \$300,000 in 2023/2024 midyear budget review and allocate it to the Onslow Airport's operational consultancy budget – J3157.



**Alternative Recommendation**

That with respect to Key Worker Accommodation Project - Onslow, Council,

1. Allocated \$300,000 during Council's 2023/2024 midyear budget review, to procure a Project Management team to fully outline the scope of works and design criteria, ensuring that the project is ready for consideration by the Council in the future.
2. Authorise the Chief Executive Officer to identify \$300,000 in 2023/2024 midyear budget review and allocate it to the Onslow Airport's operational consultancy budget – J3157.
3. Requests the Chief Executive Officer to investigate developing the Sun Chalets complex in Second Avenue Onslow for additional accommodation as a first option and bring back designs to Council for its consideration.

**Council Decision**                      **015/2024**

**Moved**                                      **Cr K White**

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

**That with respect to Key Worker Accommodation Project - Onslow, Council,**

1. **Allocated \$300,000 during Council's 2023/2024 midyear budget review, to procure a Project Management team to fully outline the scope of works and design criteria, ensuring that the project is ready for consideration by the Council in the future.**
2. **Authorise the Chief Executive Officer to identify \$300,000 in 2023/2024 midyear budget review and allocate it to the Onslow Airport's operational consultancy budget – J3157.**
3. **Requests the Chief Executive Officer to investigate developing the Sun Chalets complex in Second Avenue Onslow for additional accommodation as a first option and bring back designs to Council for its consideration.**

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

**Against:**              **Nil**

**Carried 7/0**

**Reason for change:**

A masterplan for the redevelopment of the Sun Chalets was adopted by Council in 2021 and is considered a suitable location for key worker accommodation.

*Cr M Lynch disclosed an impartiality interest in Item 12.5 (detailed in Item 5.2).*

## **12.5 Request for Tender 02.23 Onslow Aerodrome Works - Taxiway Echo and GA Apron**

<b>File Reference</b>	TT06
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	M Walsh, Manager Airport Services
<b>Authorising Officer</b>	K Donohoe, Chief Executive Officer
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 9 April 2018 - Item 18.1 – 362/2018
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	1. RFT02.23 - Evaluation and Recommendation Report - Confidential

### **Report Purpose**

Council has previously approved capital works associated with the General Aviation Development at Onslow Airport. Part of these works includes aircraft and vehicle access to the two General Aviation (GA) hangars.

Tenders were called (RFT 02.23) Onslow Aerodrome Works – Taxiway Echo and GA Apron. Five conforming submissions were received in response to the RFT advertised. The tender evaluation panel completed an assessment of the conforming submissions and makes a recommendation to award the contract for the tendered works.

Council is requested to authorise the engagement of the recommended contractor for the Onslow Aerodrome Works – Taxiway Echo and GA Apron as part of the Shire's capital works program for 2023/24.

The price range for all submission was in excess of the approved budget for these works and therefore for the purpose of awarding the contact under RFT 02.23, Council's approval will be required for an increased budget allocation of \$330,805.07.

### **Background**

In 2018, Council was provided with an advantageous opportunity to purchase the two privately owned hangars located on Shire freehold land on Lot 9500. The portion of land where the hangars are located was originally removed from the airport precinct as this land was earmarked to be incorporated into proposed subdivision development known at the time as the englobo mixed business Lot 9500. Council did not proceed with this development.

The investment into the hangars and reintroducing them back into the airport precinct represented an opportunity to expand on the Airport's general aviation infrastructure and operations.

General aviation commonly refers to the part of the aviation industry that engages in activities other than commercial air transport.

This may include small charter operations, aeromedical operations, agricultural aviation business, training, and aerial works such as aerial photography and surveying. It also includes private business, recreational sports aviation activity and tour operators.

Five key elements were necessary before the hangers could be operational. These elements consisted of:

- |  |           |
|--|-----------|
| 1. Acquisition of hangers  | Completed |
| 2. Land re-zoning  | Completed |
| 3. Fencing   | Completed |
| 4. Connection of utilities and Emergency Services                                | Completed |
| 5. Construction of a Taxiway and re-construction of GA Apron                     | Ongoing   |
| <i>Taxiway Works will be undertaken utilising the de-commission cross strip.</i> |           |
| 6. Construction of vehicle carpark at hangers                                    | Ongoing   |

In 2021/2022, Council approved a budget allocation for these works. Four stages of the works have progressively been undertaken and completed. The last two portions of works involve aircraft access to the hangers and carparking at the rear of hangers.

**Comments**

A Request for Tender RFT 02.23 –‘Onslow Aerodrome Works Taxiway Echo and GA Apron’ was issued via the Shire’s e-tendering portal known as Tenderlink on Saturday 7 October 2023 and closed on Tuesday 7 November 2023 at 2pm. The Tender was also advertised via Statewide public notice in The West Australian Newspaper from Saturday 7 October 2023.

*The Shire of Ashburton seeks to engage a suitably qualified and experienced Contractor to undertake the construction of a sealed carpark at the Onslow Aerodrome and the construction of a new general aviation apron and Taxiway Echo at the Onslow Aerodrome, Onslow Western Australia.*

*The works are to be undertaken simultaneously, as separable portions, under one (1) contract as follows:*

*The scope comprises two (2) separable portions:*

- *Separable Portion A – Onslow Aerodrome Carpark*
- *Separable Portion B – Onslow Aerodrome General Aviation Apron & Taxiway Echo*

Submissions were received from the following five tenderers

Corps Earthmoving Pty Ltd
DeGrey Civil Pty Ltd
Egan Civil Pty Ltd t/a Castle Civil Pty Ltd
Ertech Pty Ltd
Norwest Sand & Gravel Pty Ltd t/a Norwest Contracting

All submissions were assessed using the following criteria.

Criteria		Weighting
(a)	Relevant Company Experience & Performance	20%
(b)	Key Personnel	10%
(c)	Tenderer’s Resources	10%
(d)	Demonstrated Understanding	10%
(e)	Price	50%

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. An independent probity auditor was also involved throughout the tender process.

The evaluation and recommendation report, including the overall evaluation scores, rankings and the evaluation panel’s recommendation of the preferred tenderer to be awarded a contract to undertake the works detailed in RFT 02.23 –‘Onslow Aerodrome Works Taxiway Echo and GA Apron is provided in Confidential Attachment 1.

**Consultation**

- Chief Executive Officer
- Aviation consultant
- Engineering consultant
- Tender evaluation panel

**Strategic Community Plan**

Shire of Ashburton Strategic Community Plan 2022-2032

- Strategic Objective            3. Prosperity - We will advocate and drive opportunities for the community to be economically desirable, resilient, and prosperous.
- Strategic Outcome            3.2 Aviation transport opportunities for the community
- Strategy                         4 Promote opportunities for air services, aviation facilities, associated businesses, and future expansion.

**Council Policy**

Council Policy – Purchasing and Procurement

The Shire is committed to delivering best practice in the purchasing of goods, services and works that align with the principles of transparency, probity and good governance whereby establishing efficient, effective, economical, and sustainable procedures in all purchasing activities.

**Financial Implications**

Current Financial Year

All submissions exceeded the budget allocation.

The 2021/22 revised annual budget has an allocation of \$965,440 for the combined projects captured in the RFT, with the allocation broken down as follows.

Hanger Car Park Construction	\$100,000
Aviation Area Development	\$363,300
Taxiway Echo Construction	\$502,140

The initial estimates were based on a cost estimate prepared by the consultant engaged to undertake the investigation and design.

Potential additions to contract award amount

It must be noted that during the assessment process, a small number of exclusions were not able to be resolved with the tenderer via the tender clarification process. Advice from the Shire's Procurement team and the appointed Probitity Auditor is that these items are to be resolved by negotiation with the tenderer, priced and included in the contract award amount prior to contract establishment. At this point, the estimated cost impact is in the range of \$85,000.

If approved, the contract value will be \$1,141,245.07(excl. GST) leaving a budget deficit of \$260,845.07. Additionally, this amount does not include any allowances for potential contingencies, variations, or project management fees.

Contingency

It is also recommended that a project contingency be allowed for in the revised budget. A minimum contingency of \$70,000 is suggested.

Revised Budget

Tendered Lump sum price	\$1,141,245.07
Expected Variations	\$85,000
Contingency//Other costs	\$70,000
Total	<u>\$1,296,245.07</u>

The additional funds required can be sourced from Capital project (X2318) 'Airport secure Carpark' which has a budgeted allocation of \$270,000. This project will not be going ahead this financial year as there is no longer an operational need for the addition carpark. The remaining \$60,845 can be sourced from the Airport Reserve which currently has a balance of \$9,555,311.00.

Therefore, it is requested \$270,000 to be transferred from X2318 'Airport Secure Carpark' to X2320 'Taxiway Echo Construction' and \$60,845 from the airport reserve, increasing the project Budget to \$1,296,245.07.

Future Financial Year(s)

Nil

**Legislative Implications**

*Local Government Act 1995* Section 3.57 - Tenders for providing goods or services.

*Local Government (Functions and General) Regulations 1996* Regulation 11 - When tenders must be publicly invited, Tenders for providing goods or services (s. 3.57)

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

**Risk Management**

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

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Reputation (social/community)	Council does not approve the recommendations resulting in the project not going ahead and the GA development incomplete.	Unlikely (2)	Moderate (3)	Moderate (5-9)	Provide sufficient information for Council to make a decision.
Financial impact	Project does not go ahead, and GA hangers are unable to be used resulting in a loss of leasing income.	Unlikely (2)	Moderate (3)	Moderate (5-9)	Provide sufficient information for Council to make a decision.
Financial impact	Project runs over budget.	Likely (4)	Moderate (3)	High (10-16)	Appointment of dedicated and experienced PM for contract Management and technical supervisor/advice.

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

The risk will be mitigated by thorough pre-contract negotiations and by the appointment of dedicated and experienced resources for contact management and technical supervision and advice.

**Voting Requirements**

Absolute Majority

**Officer Recommendation**

That with respect to Request for Tender 02.23 Onslow Aerodrome Works – Taxiway Echo and GA apron, Council,

1. Accepts the Tender Evaluation Panel’s recommendation, as provided in Confidential Attachment 1 and awards Request for Tender 02.23 –‘Onslow Aerodrome Works Taxiway Echo and GA Apron to Tenderer 1, for the fixed lump sum of \$1,141,125.07 (excl. GST).
2. Approves the budget amendment/increase of \$330,805.07 (excl. GST) with funds being sourced from X2318 Airport Secure Carpark, and Onslow Airport Reserve to be allocated to X2320 ‘Taxiway Echo Construction.
3. Authorises the Chief Executive Officer to negotiate, execute and manage a contract with Tenderer 1 for the works contained within Request for Tender 02.23 Onslow Aerodrome Works – Taxiway Echo and GA Apron, including variations to the scope of works and contract value, providing this does not exceed the revised budget.

**Council Decision**                      **016/2024**

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

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

**That with respect to Request for Tender 02.23 Onslow Aerodrome Works – Taxiway Echo and GA apron, Council,**

- 1. Accepts the Tender Evaluation Panel’s recommendation, as provided in Confidential Attachment 1 and awards Request for Tender 02.23 –‘Onslow Aerodrome Works Taxiway Echo and GA Apron to Tenderer 1, for the fixed lump sum of \$1,141,1245.07 (excl. GST).**
- 2. Approves the budget amendment/increase of \$330,805.07 (excl. GST) with funds being sourced from X2318 Airport Secure Carpark, and Onslow Airport Reserve to be allocated to X2320 ‘Taxiway Echo Construction.**
- 3. Authorises the Chief Executive Officer to negotiate, execute and manage a contract with Tenderer 1 for the works contained within Request for Tender 02.23 Onslow Aerodrome Works – Taxiway Echo and GA Apron, including variations to the scope of works and contract value, providing this does not exceed the revised budget.**

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

**Against:**             **Nil**

**Carried By Absolute Majority 7/0**

## 12.6 Policy Review - Workplace Health and Safety

<b>File Reference</b>	GV20
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	A Heraty, Manager Organisational Development
<b>Authorising Officer</b>	I Bishop, Deputy Chief Executive Officer
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 11 October 2022 - Item 12.3 – 139/2022
<b>Disclosure(s) of interest</b>	Author – Financial
	Authorising Officer – Nil
<b>Attachments</b>	1. Council Policy - Workplace Health and Safety

### Report Purpose

The review of Council policies from time to time or as otherwise statutorily required ensures that the Shire’s policy framework is compliant with legislation and meets the operational needs of the organisation in support of the community.

The purpose of this report is to provide details of the recent internal review that has been completed on the Council Policy – Workplace Health and Safety.

Council is requested to endorse the amended policy as detailed in Attachment 1 for the reasons set out in this report.

### Background

Council’s current Workplace Health and Safety Policy was first adopted on 11 October 2022.

Following adoption and to continue to drive a positive organisation safety culture, SAI Global were engaged in an effort to retain ISO45001 Safety Accreditation, and an accredited auditor made further recommendations to support compliance with Australian and global safety standards, within this policies framework.

### Comments

The following table summarises the proposed amendments to Council Policy – Workplace Health and Safety. The amendment document is provided in full at Attachment 1, with track changes used to highlight the amended provisions

<b>Policy</b>	<b>Summary of Change</b>
Workplace Health and Safety	<p>The policy has been simplified, making it easier for workers to understand, follow and implement instructions and guidelines.</p> <p>The ISO 45001 occupational health and safety management system advocates for clear communication and easy access to safety procedures, reducing the risk of workplace incidents and injuries.</p> <p>The revised policy was recommended by the external auditor, SAI Global, thereby supporting the Shire in its efforts to achieve accreditation status. Streamlining this policy is therefore a condition of the Shire’s ISO45001 Accreditation, which is currently pending.</p>



**Consultation**

Chief Executive Officer  
 Deputy Chief Executive Officer  
 All relevant policy managers

**Strategic Community Plan**

Shire of Ashburton Strategic Community Plan 2022-2032

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

**Council Policy**

[Council Policies » Shire of Ashburton](#)

Council Policy – Workplace Health and Safety

**Financial Implications**

Current Financial Year

Nil

Future Financial Year(s)

Nil

**Legislative Implications**

In accordance with section 2.7 of the *Local Government Act 1995*, the Council is responsible for determining the local government’s policies.

**Risk Management**

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

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Compliance	Not receiving ISO 45001 and WorkSafe Accreditation.	Almost Certain (5)	Moderate (3)	Moderate (5-9)	Adopting the amendments to the policy supports workplace health and safety and reduces risk.
Reputation (internal and external)	Lack of credibility and lack of stakeholder confidence in the Shire to establish and sustain a safe workplace.	Likely (4)	Moderate (3)	Moderate (5-9)	Adopting the amendments to the policy supports workplace health and safety and reduces risk.

Project (cost)	Loss of cost already incurred for the engagement of the accreditation auditor	Almost Certain (5)	Moderate (3)	Moderate (5-9)	Adopting the amendments to the policy supports workplace health and safety and reduces risk.
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Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be medium.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That with respect to the Policy Review - Workplace Health and Safety, Council endorses the amendments to this policy, as detailed in Attachment 1.

**Council Decision**                    **017/2024**

**Moved**                                    **Cr A Sullivan**

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

**That with respect to the Policy Review - Workplace Health and Safety, Council endorses the amendments to this policy, as detailed in Attachment 1.**

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

**Against:**            **Nil**

**Carried 7/0**

Cr Rumble presented a letter from the Royal Association of Justices Western Australia in regards to the State’s Work Health and Safety legislation.

## 12.7 Proposed Dialysis Clinic Tom Price - Request for Letter of Support

<b>File Reference</b>	SOU.0017
<b>Applicant or Proponent(s)</b>	Pilbara Aboriginal Health Alliance
<b>Author</b>	R Wright, Executive Manager Land, Property and Regulatory Services
<b>Authorising Officer</b>	J Sangster, Deputy Chief Executive Officer
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	Nil

### Report Purpose

Council is required to consider a request to support the Pilbara Aboriginal Health Alliance in leasing an approximate ~2,000sqm portion of land from Lot 9001 (17) South Road, Tom Price to develop a dialysis clinic, subject to successfully obtaining grant funding.

### Background

In early 2023 the Pilbara Aboriginal Health Alliance (PAHA) hosted a meeting in Tom Price, with representatives from local Aboriginal corporations, Shire officer's, Private Primary Care Practice, Purple House, and Rio Tinto.

It was established through these meetings that there was an immediate need for dialysis services in Tom Price.

The PAHA has advised that patients residing in Tom Price and surrounding areas do not currently have access to local dialysis treatment. Dialysis treatment is required three times a week, for four to five hours, requiring either relocation to Perth (1,452 km) or South Hedland (404 km) to access this essential service. This relocation takes patients away from country, family, and their support networks which can lead to poorer treatment outcomes.

The National Indigenous Australian Agency is currently offering grant funding for *Better Renal Services for First Nations Peoples* which includes establishment of up to thirty (30) dialysis units in regional and remote locations with end stage kidney disease. Funding support includes upgrades to existing dialysis units, small scale water infrastructure and assistance with construction of new dialysis facilities. The measure aims to improve the health of First Nations peoples with end-stage kidney disease who must undergo dialysis treatment, often in locations far from their communities.

Tom Price is currently one of three sites approved under the second stage of this program to provide capital funding for a new dialysis facility (example shown in Figure 1) which may be built in situ or offsite. It is anticipated that the new dialysis facility will take up to 18 months to complete.



Figure 1: Example of dialysis facility exterior/interior

The PAHA approached the Shire in late January 2024 requesting assistance in securing a suitable property for its proposed facility to support its grant submission, anticipated to be submitted in March 2024. The PAHA requested an approximate 2,000 square metre parcel of land in an area central to Tom Price. The PAHA requested the site be made available by way of ceding the land free of cost, however remained open to a long-term land lease at a peppercorn or reduced rent, given the overall community benefit and future Shire asset.

Lot 9001 (17) South Road, Tom Price was deemed by Shire Officer’s as the most suitable parcel of land for the project, identified as the Essential Services Precinct in the Shire’s recently adopted Community Lifestyle Infrastructure Plan (CLIP). The PAHA’s preferred location was fronting South Road for ease of connection to existing utilities, adjacent to and south of the existing Department of Fire and Emergency Services building (see Figure 2).



Figure 2: 18 South Road, Tom Price approximate subject site location

**Comments**

17 South Road is owned by the Shire in freehold. A concept plan for the proposed new hospital was developed in 2019 Figure 3 refers with further refinement to incorporate other agencies on the site during the CLIP project in 2023 (see Figure 4).



Figure 3: Hospital Site Masterplan (2019)

Figure 25: Concept Plan – Consolidation of Essential Services Precinct



Figure 4: Community Lifestyle Infrastructure Plan (Essential Services Precinct)

The overall land requirement is anticipated to be approximately 2,000m<sup>2</sup> for a clinic style facility, with the building footprint comprising 250m<sup>2</sup> and the remaining area for parking. It should be noted that when the Tom Price hospital project is finalised some of the parking may be able to be reciprocal and the parking footprint for the clinic may reduce over time. A lease is therefore recommended to ensure future flexibility and shared parking as appropriate.

As shown in Figure 4 the proposed location conflicts with plans to relocate the Tom Price Police Station. However, as this Police Station relocation project is in its infancy, with no consultation with WA Police to date, it is anticipated that the project can still be accommodated in the overall Precinct elsewhere on Lot 9001 or south of the proposed dialysis facility (pending final design). It is recommended that to ensure the aspirations for the site identified in 2019 and 2023 are not overlooked, a masterplan for the site should be considered and presented to Council for adoption as a future item prior to signing any lease agreement.

The PAHA has confirmed Purple House has capacity to operate the facility in partnership with them and will provide ongoing operational support to Tom Price with a demonstrated track record in developing, building, and running remote dialysis services across Australia. Purple House employs clinicians, operational supports, biomedical engineers/technicians and has a strong competent business/operations and project team who are well versed in supporting the building, fit out and ongoing operation of remote dialysis units. Given the above, it is not anticipated that the Shire will need to maintain the facility under a land lease arrangement.

The success of this proposal is highly dependent on the nomination of a parcel of land and therefore Council’s in principle support is required ahead of the grant application being lodged in March 2024. The outcome from the grant application is expected to be provided in May/June 2024. If the grant application is successful, Administration will negotiate lease terms and present to Council as a future separate item.

Shire Officer’s support the project in principle as it is anticipated to have a transformative effect on families and surrounding communities, whilst protecting important cultural sites and offering services that prioritise the community.

**Consultation**

Chief Executive Officer  
Pilbara Aboriginal Health Alliance

**Strategic Community Plan**

Shire of Ashburton Strategic Community Plan 2022-2032

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

**Council Policy**

Council Policy – Community Leases and Licences

This policy aims to encourage and support associations by providing community lease and licence agreements to groups that contribute to the community.

**Financial Implications**

Current Financial Year

The PAHA has proposed a peppercorn lease is entered into with the Shire and therefore it is unlikely any income would be derived from this proposal. All running costs including maintenance of the facility would be borne by the PAHA and its partners such as Purple House.

Future Financial Year(s)

Nil

**Legislative Implications**

Nil. PAHA is a registered Public Benevolent Institution, Not for Profit Charity organisation and therefore section 3.58 of the *Local Government Act 1995* (Disposal of Land) would not apply as the venture would be considered an exempt disposition.

**Risk Management**

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

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
People	Dialysis treatment continues to be unavailable in the town of Tom Price and surrounding areas	Almost Certain (5)	Moderate (3)	High (10-16)	Adopt officer's recommendation

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

**Voting Requirements**

Simple Majority

**Officer Recommendation**

In respect to the Pilbara Aboriginal Health Alliance proposed Dialysis Clinic Tom Price – Request for Letter of Support, Council,

1. Authorises the Chief Executive Officer to provide a letter of support to the Pilbara Aboriginal Health Alliance to lease up to 2,000 square metres from Lot 9001 (17) South Road, Tom Price for the purposes of establishing a dialysis clinic in Tom Price, and
2. Notes:
  - (a) the development of the dialysis clinic will be subject to the Pilbara Aboriginal Health Alliance securing funding for the project from the Commonwealth;
  - (b) a further report to Council will be presented if grant funding is secured regarding any future lease of Lot 9001 (17) South Road, Tom Price; and
  - (c) a masterplan will be developed for Lot 9001 (17) South Road, Tom Price to ensure the site is looked at holistically for the Essential Services Precinct identified in the Community Lifestyle Infrastructure Plan.



**Council Decision**            **018/2024**

**Moved**                        **Cr K White**

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

**In respect to the Pilbara Aboriginal Health Alliance proposed Dialysis Clinic Tom Price – Request for Letter of Support, Council,**

- 1. Authorises the Chief Executive Officer to provide a letter of support to the Pilbara Aboriginal Health Alliance to lease up to 2,000 square metres from Lot 9001 (17) South Road, Tom Price for the purposes of establishing a dialysis clinic in Tom Price, and**
- 2. Notes:**
  - (a) the development of the dialysis clinic will be subject to the Pilbara Aboriginal Health Alliance securing funding for the project from the Commonwealth;**
  - (b) a further report to Council will be presented if grant funding is secured regarding any future lease of Lot 9001 (17) South Road, Tom Price; and**
  - (c) a masterplan will be developed for Lot 9001 (17) South Road, Tom Price to ensure the site is looked at holistically for the Essential Services Precinct identified in the Community Lifestyle Infrastructure Plan.**

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

**Against:**            **Nil**

**Carried 7/0**

## 12.8 North West Defence Alliance Membership

<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 Capability for National Defence</li> <li>2. Proposed Budget 2023/2024 - Confidential</li> <li>3. Activity Update and Chair's Report - Confidential</li> </ol>

### Report Purpose

Council is required to consider the Shire of Ashburton’s membership to the North West Defence Alliance Inc.

The purpose of this report is to inform Council of the North West Defence Alliance’s request for funding from the Shire of Ashburton to remain a member of the Alliance.

Council is requested to authorise the Chief Executive Officer to terminate the Shire of Ashburton’s membership to the North West Defence Alliance.

### Background

The North West Defence Alliance Inc (NWDA) is made up of nine (9) local governments in the region being the Shire of Ashburton, Shire of Broome, Shire of Derby-West Kimberley, Shire of East Pilbara, Shire of Exmouth, Shire of Halls Creek, City of Karratha, Town of Port Hedland and the Shire of Wyndam-East Kimberley. The Alliance was incorporated and obtained an Australian Business Number on 9 May 2023.

The NWDA state that its purpose is to raise the profile of the North Gascoyne, Kimberley and Pilbara as strategically significant for national security and to increase lobbying the Federal Government to enhance its investment in defence-related infrastructure and personnel in the northern half of Western Australia. The Alliance has the following objectives:

- To promote the case for increased defence infrastructure and personnel expenditure across local governments in the North West.
- To act as a point of liaison for the Department of Defence and associated authorities
- To communicate key defence priorities to all levels of government, relevant stakeholders and to the public
- To maintain effective communication and collaboration between the Alliance members and to promote one another’s strategic objectives

There is no specific end-state or vision documented in the NWDA Charter.

Peter Long, the former Mayor of the City of Karratha is currently chair of the NWDA.

In late 2023, a Department of Defence visit was planned for the Northwest which included a tour of Onslow. However, this visit was cancelled by Defence two weeks prior to it going ahead. The Shire of Ashburton's Economic Development team prepared the attached prospectus for the tour titled Shire of Ashburton Capability for National Defence (Attachment 1).

### Comments

The NWDA have requested a \$5,000 contribution from the Shire of Ashburton for various activities including procuring consultant support, conference attendance, advocacy, administration costs and media attention. These activities are outlined in the following confidential attachments: Proposed Budget 2023/2024 (Attachment 2) and the Activity Update and Chair's Report (Attachment 3).

Council officers have also reviewed the Australian Government's Defence Strategic Review which outlines a changing approach to focus on national defence. The Defence Strategic Review highlighted a number of recommendations that align to the Shire of Ashburton including the following summary:

- Upgrades and development of our northern network of bases, ports and barracks should commence immediately.
- Options should be developed to leverage the capabilities offered by local and state governments as well as civil minerals and petroleum resources industry infrastructure in northern and central Australia.
- A national logistics support concept that considers strategic and industrial policy needs, and civilian, local and state government and military logistics capabilities, should be developed by 2025.
- A National Support Division should be established within Defence by 2024 to develop concepts and conduct engagement to harness the nation's economic, industrial and societal strength.

Recent public announcements show that the Australian Government is prioritising expenditure in the North West of Western Australia through the air bases Learmonth, Curtin and Cocos-Keeling Islands. An additional \$200 million has been allocated towards the acceleration of additional projects, however it is unclear what this will be spent on.

More information can be obtained here: <https://www.minister.defence.gov.au/media-releases/2023-04-27/strengthening-australias-northern-bases>.

Given the lack of clarity on the NWDA's expected output for investment return into the Shire of Ashburton, Council officers have determined that it would be a more efficient and transparent use of municipal funding to engage directly with the Australian Government through the Department of Defence rather than through the NWDA should there be opportunities to partner on Defence projects in the district. Council Officers are not currently aware of any projects in development within the Shire of Ashburton district.

It is for the above reasons that Council officers have recommended that the Shire of Ashburton ceases being a member of the North West Defence Alliance and advocates individually for investment in the Shire.

**Consultation**

Chief Executive Officer

Council – The Chief Executive Officer provided a verbal brief to Council during its briefing session of December 2023. The majority of the members available provided strategic guidance to the Chief Executive Officer that the Council be able to consider an item in relation to the Shire’s membership of the Alliance with a view to determining Council’s future membership.

**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**

[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)	There is a risk to the reputation of Council should it be seen to provide financial investment for undertakings that have no expected outcomes for the district.	Unlikely (2)	Minor (2)	Low (1-4)	Following the Officers recommendation will ensure the Shire is acting in the best interest of the district.

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 North West Defence Alliance Membership, Council, authorises the Chief Executive Officer to:

1. terminate the Shire of Ashburton’s membership to the North West Defence Alliance and
2. advise the Executive of the North West Defence Alliance of Council’s decision and instead advocate for Australian Government investment directly on behalf of the Shire.

**Amended Recommendation**

That with respect to North West Defence Alliance Membership, Council, authorises the Chief Executive Officer to:

1. terminate the Shire of Ashburton’s membership to the North West Defence Alliance and
2. advise the Executive of the North West Defence Alliance of Council’s decision and instead advocate for Australian Government investment directly on behalf of the Shire if requested by the Department of Defence to further contribute.

**Council Decision            019/2024**

**Moved                            Cr M Lynch**

**Seconded                      Cr L Rumble JP**

**That with respect to North West Defence Alliance Membership, Council, authorises the Chief Executive Officer to:**

- 1. terminate the Shire of Ashburton’s membership to the North West Defence Alliance and**
- 2. advise the Executive of the North West Defence Alliance of Council’s decision and instead advocate for Australian Government investment directly on behalf of the Shire if requested by the Department of Defence to further contribute.**

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

**Against:                    Nil**

**Carried 7/0**

## 13 Corporate Services Reports

### 13.1 Gross Rental Valuation (GRV) Rating of Transient Workforce Accommodation - Review 2024

<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>	D Kennedy, Director Corporate Services
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 3 December 2018 - Item 12.2 – 479/2018
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	Nil

#### Report Purpose

Council is required to consider the findings from a review of Transient Workforce Accommodation (TWA) within the Shire.

The purpose of this report is to obtain Council endorsement to commence the process to change the basis of rating on several Transient Workforce Accommodation developments within the Shire.

Council is requested to approve a series of recommendations that will ensure all TWAs within the Shire are rated on a consistent basis.

#### Background

In 2015, the Department of Local Government introduced a rating policy that permitted the Gross Rental Valuation (GRV) basis of rating to be applied to certain capital improvements on mining, petroleum, and other resource interests.

Capital improvements for the purposes of the policy included:

- (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.

In 2018, the Shire applied to the Minister for Local Government, to apply GRV to 25 TWAs, with 22 being approved. GRV rating commenced on 1 July 2019 with the Shire creating a new GRV rating differential category – Transient Workforce Accommodation.

Mining tenements, because they are located outside townsite boundaries, are by default given an Unimproved Valuation (UV). To apply a GRV valuation to TWAs the Department of Local Government has developed an application process that involves consultation with the landowner and applying to the Minister, which if approved results in the area being formally gazetted to GRV.

Following the 2018 review, processes to monitor the development of TWAs throughout the Shire were not established, and for that reason a further comprehensive review has been completed. Results of this review and proposed actions are outlined below.

**Comments**

Findings - Existing GRV TWA rated camps.

The following TWAs were found to have changed significantly since 2018, and as a result updated valuations were requested from the VGO. The most significant was the Mesa A mining camp near Pannawonica which had more than doubled in size.

The net increase in valuation for existing GRV rated TWAs is \$2,187,520.

Name	Interim GRV (1Jan2024)	Previous GRV	Comments
Mesa A camp (Rio Tinto)	\$2,850,000	\$1,050,000	Camp expansion in 2021 more than doubled the size of initial camp.
Eliwana exploration camp (FMG)	\$20	\$65,500	GRV reduced due to removal of camp buildings. Site not currently used.
Edge camp (FMG)	\$170,000	\$41,500	Camp has more than doubled in size since 2018 gazettal.
Bonnie Doon camp (FMG)	\$250,000	\$22,500	Camp has more than doubled in size since 2018 gazettal.
Paulsen's camp (Northern Star)	\$215,000	\$ 118,000	Camp has continued to expand since the 2018 gazettal.
Total	\$3,485,020	\$1,297,500	

Findings – Additional TWA camps

Significant mining development has occurred in the Shire since 2018. As a result, the audit has identified additional Transient Workforce Accommodation (TWA) that should be rated under the GRV Transient Workforce Accommodation Differential Rate category (currently \$0.17818 cents in the dollar)

The Shire needs to complete the gazettal process on each of these TWAs to have the basis of rating changed from UV to GRV.

It should be highlighted that most TWAs being constructed are located on mining tenements under a Miscellaneous Licence issued by the Department of Mines, Industry Regulation and Safety (DMIRS). It recently became evident that the VGO has not historically been providing UV valuations for mining tenements with a miscellaneous licence. As a result, these tenements have not been rated in any capacity.

The Shire currently has 379 miscellaneous licences with an estimated unimproved valuation (UV) of more than \$25 million. This is believed to be the largest of any Shire in the state. The rateability of miscellaneous licences is currently playing out in the State Administrative Tribunal (SAT). Further briefings will be provided to Councillors on this matter when the SAT deliberations are handed down, and the Shire’s future strategy considered.

In the meantime, the focus remains on consistently applying rating to TWAs.

Name	Indicative GRV	Comments
Punurunha Village – Marandoo (Rio Tinto)	\$3,200,000	<p>This camp has been established for many years but has <u>never</u> been rated.</p> <p>The December 2018 agenda item to Council made the below reference which has subsequently been determined to be incorrect:</p> <p><i>“The remaining TWAs identified during the application process are those located in the Shire’s town-sites, including one located outside the Tom Price town site (Punurunha Village – Marandoo). These TWAs are currently rated GRV Commercial/Industrial, and it is intended they be grouped alongside those recently approved by the Minister under a new rating category: GRV Transient Workforce Accommodation”.</i></p> <p>The Marandoo site has not been gazetted to GRV. Legislation does not allow back rating to recover the ~\$3m in foregone rates when converting the basis of rating from UV to GRV. It appears that one of two assessments relating to the Windawarri Lodge in Tom Price has incorrectly been mistaken for the Punurunha Village.</p>
Western Ranges – (Rio Tinto)	\$4,000,000	<p>New 1600-person camp constructed in 2023.</p> <p>Becomes rateable from July 2024, being 12 months following completion.</p>
Mesa H (Rio Tinto)	\$1,600,000	<p>500-person camp constructed in 2019.</p> <p>Became rateable from December 2020</p> <p>Foregone rates of ~\$1m</p>
Eliwana Flying Fish Camp (FMG)	\$850,000	<p>Newly established temporary 250-person camp in December 2023. This camp is accommodating workers as part of bigger construction of the Flying Fish Construction Camp.</p> <p>Becomes rateable from December 2024 and the Flying Fish Construction Camp will become rateable 12 months after it is first occupied.</p>
Onslow Iron Fly Camp (MRL)	\$750,000	<p>200-person Fly-Camp with occupancy certificate issued in September 2023.</p> <p>Becomes rateable from September 2024.</p> <p>Believed to be being used for the Onslow Iron haul road construction so may only be short-term.</p>



Castle Mining Camp Solomon Hub (FMG)	\$235,000	<p>Technical Land Description was obtained for this camp in 2018 however it was not gazetted to GRV. It appears that this camp has been in care and maintenance for several years and directly adjoins the Dally Camp in the FMG Solomon Mine Hub.</p> <p>Recent investigations have indicated that FMG are reopening up to 80 beds in this facility and therefore gazettal will occur so that some rating can be obtained.</p>
Mulga Downs Exploration Camp (Hancock Prospecting)	\$125,000	<p>Exploration camp originally constructed in 2012. Extended in 2014 and 2019.</p> <p>Was not picked up as part of the 2018 review so has never been rated or converted to GRV</p>
Mt Elvire (API Management)	\$50,000	<p>In 2018, application to Minister to gazette as GRV was declined on the basis that camp was “temporary”. Shire EHO continues to inspect camp so after 5 years will request gazettal again as “temporary” no longer valid.</p>
Wandoo Camp & Pannawonica Village (Rio Tinto)	N/A	<p>In 2018, the Wandoo Camp was identified as being rated under the GRV Commercial category as its located within the Pannawonica Town site boundary. The GRV Transient Workforce Accommodation Rating category was supposed to apply from 2018 however it appears that this was not changed administratively which will be corrected for the 2024/25 rating year.</p> <p>The Pannawonica Village was not identified in the 2018 review and is rated under the GRV Commercial category. Like the Wandoo Camp this will be corrected to the GRV Transient Workforce Accommodation category for the 2024/25 rating year.</p>
Ken’s Bore (Existing) (MRL)	\$2,500,000	<p>The Ken’s Bore project has several small camps that have been developed in recent years. These camps are rateable as soon as the gazettal process is completed. Some of this infrastructure maybe removed in the future as the main resort camp becomes fully operational.</p>
Ken’s Bore – “Resort” (MRL)	\$6,500,000	<p>The Ken’s Bore Resort Camp is nearing completion and will become rateable within the next 12 months. The gazettal process will be commenced so there is no delay in the raising of rates.</p>
<b>Total</b>	<b>\$19,810,000</b>	

**Consultation**

Prior to making a recommendation to the Minister to change the basis of rating, consultation must occur with the effected ratepayers. Any submissions received will be brought back to Council before obtaining Council approval to apply to the Minister.

Department of Local Government / Valuer Generals Office – Joint meeting was held at the beginning of February to ensure that the Shire was following due process to mitigate any possible obstacles with the application process.

## 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

### [Council Policies » Shire of Ashburton](#)

Gross Rental Value Rating of Mining Tenements – Policy (Minister for Local Government 2015)

## Financial Implications

### Current Financial Year

The rates revenue from gazetting the additional camps will largely be received in future financial years, apart from existing camps that have received interim valuation increases effective 1 January 2024.

Back rating provisions are not available to recover foregone rates revenue when a gazettal process is required to commence GRV rating.

### Future Financial Year(s)

The Shire has a healthy pipeline of development projects that will assist the Shire's long term financial sustainability. In addition to the developments mentioned, the MRL Onslow Resort Camp currently under construction within the Onslow Townsite will be rateable upon completion (no 12 month waiting period) and the significant MRL infrastructure being constructed at the Port of Ashburton will become rateable as soon as lease agreements with the Pilbara Ports Authority (PPA) are executed. Currently MRL have an access agreement with PPA which will be converted to several leases as early as July 2024.

## 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.

*Department of Local Government Rating Policy: Valuation of Land – Mining* under which an application is to be made for the spot rating of TWA’s and other structures located on Mining Tenements and other land outside the town boundaries.

**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)	Process has been established to monitor DMIRS tenement register and Building applications on an ongoing basis to ensure gazettal process commences soon after a camp is established.

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

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That with respect to the Gross Rental Valuation (GRV) Rating of Transient Workforce Accommodation - Review 2024, Council,

- Notes that the Punurunha Village – Marandoo, Western Ranges – Paraburdoo, and Mesa H – Pannawonica transient workforce accommodation facilities operated by Rio Tinto are not currently rated using the Gross Rental Valuation basis;
- Notes that the Eliwana Flying Fish Fly Camp and the Solomon Hub Castle transient workforce accommodation facilities operated by Fortescue Metals Group are not currently rated using the Gross Rental Valuation basis;
- Notes that the multiple camps at Ken’s Bore and the Onslow Iron Fly transient workforce accommodation facilities operated by Mineral Resources Limited are not currently rated using the Gross Rental Valuation basis;
- Notes that the Mulga Downs Exploration Camp, operated by Hancock Prospecting, is not currently rated using the Gross Rental Valuation basis;
- Notes that the Mt Elvire Exploration Camp, operated by API Management, is not currently rated using the Gross Rental Valuation basis;
- Supports the Chief Executive Officer in commencing the gazettal process to change the method of valuation on the above Transient Workforce Accommodation facilities from Unimproved Value to Gross Rental Value;
- 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 28 day submission period;
- Requests the Chief Executive Officer prepare a further report to Council at the conclusion of the consultation period; and

9. Notes that the Wandoo Camp and Pannawonica Village located within the Pannawonica town site boundary and operated by Rio Tinto will be converted from GRV Commercial to GRV Transient Workforce Accommodation from 1 July 2024.

**Council Decision**            **020/2024**

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

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

**That with respect to the Gross Rental Valuation (GRV) Rating of Transient Workforce Accommodation - Review 2024, Council,**

- 1. Notes that the Punurunha Village – Marandoo, Western Ranges – Paraburdoo, and Mesa H – Pannawonica transient workforce accommodation facilities operated by Rio Tinto are not currently rated using the Gross Rental Valuation basis;**
- 2. Notes that the Eliwana Flying Fish Fly Camp and the Solomon Hub Castle transient workforce accommodation facilities operated by Fortescue Metals Group are not currently rated using the Gross Rental Valuation basis;**
- 3. Notes that the multiple camps at Ken’s Bore and the Onslow Iron Fly transient workforce accommodation facilities operated by Mineral Resources Limited are not currently rated using the Gross Rental Valuation basis;**
- 4. Notes that the Mulga Downs Exploration Camp, operated by Hancock Prospecting, is not currently rated using the Gross Rental Valuation basis;**
- 5. Notes that the Mt Elvire Exploration Camp, operated by API Management, is not currently rated using the Gross Rental Valuation basis;**
- 6. Supports the Chief Executive Officer in commencing the gazettal process to change the method of valuation on the above Transient Workforce Accommodation facilities from Unimproved Value to Gross Rental Value;**
- 7. 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 28 day submission period;**
- 8. Requests the Chief Executive Officer prepare a further report to Council at the conclusion of the consultation period; and**
- 9. Notes that the Wandoo Camp and Pannawonica Village located within the Pannawonica town site boundary and operated by Rio Tinto will be converted from GRV Commercial to GRV Transient Workforce Accommodation from 1 July 2024.**

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

**Against:**            **Nil**

**Carried 7/0**

### 13.2 Monthly Financial Statements - 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. Monthly Financial Report January 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 31 January 2024.

Council is requested to accept the Statement of Financial Activity.

#### Background

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

#### Comments

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

There are no further 2023/2024 Budget amendments recommended.

#### Consultation

Executive Leadership Team  
 Middle Management Group  
 Finance Team

#### Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

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

**Council Policy**

Nil

**Financial Implications**

Current Financial Year

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

Future Financial Year(s)

Nil

**Legislative Implications**

*Local Government Act 1995*

*Section 6.4 (Financial report)*

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

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

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

**Risk Management**

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

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

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

**Voting Requirements**

Simple Majority

**Officer Recommendation**

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

**Council Decision**            **021/2024**

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

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

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

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

**Against:**            **Nil**

**Carried 7/0**

### 13.3 Monthly Financial Statements - December 2023

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

#### 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 31 December 2023.

Council is requested to accept the Statement of Financial Activity.

#### Background

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

#### Comments

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

There are no further 2023/2024 Budget amendments recommended.

#### Consultation

Executive Leadership Team  
 Middle Management Group  
 Finance Team

#### Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

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



**Council Policy**

Nil

**Financial Implications**

Current Financial Year

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

Future Financial Year(s)

Nil

**Legislative Implications**

*Local Government Act 1995*

*Section 6.4 (Financial report)*

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

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

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

**Risk Management**

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

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

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

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That with respect to Monthly Financial Statements, Council, in accordance with *Local Government (Financial Management) Regulations 1996* regulation 34, accepts the Statement of Financial Activity, and associated documentation, for December 2023, as included at Attachment 1.

**Council Decision**            **022/2024**

**Moved**                        **Cr B Healy**

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

**That with respect to Monthly Financial Statements, Council, in accordance with *Local Government (Financial Management) Regulations 1996* regulation 34, accepts the Statement of Financial Activity, and associated documentation, for December 2023, as included at Attachment 1.**

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

**Against:**            **Nil**

**Carried 7/0**

### 13.4 Monthly Schedule of Accounts Paid - November 2023

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

#### 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 November 2023,
- Trust Fund Payments for November 2023, and
- Corporate Credit Card and Payment Card Reconciliations for November 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	2,713,365.63
BPay/Credit Cards	13,554.26
Cheques	0
Payroll	921,663.83

Bank Fees and Charges	1,083.04
<u>Municipal Fund Total</u>	3,649,666.76
<u>Trust Fund</u>	
Electronic Funds Transfers	0.00
<u>Trust Fund Total</u>	0.00

**Payment Cards**

Credit Cards	13,554.26
Fuel Cards – Ampol	2,552.07
Fuel Cards – Viva / Shell	9,039.30
Fuel Cards – Wex Motorpass	257.12
Taxi Cards – Cabcharge	365.82
<u>Payment Cards Total</u>	25,768.57

**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 November 2023, as included at Attachment 1.

**Council Decision**                      **023/2024**

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

**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 November 2023, as included at Attachment 1.**

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

**Against:**              **Nil**

**Carried 7/0**

### 13.5 Monthly Schedule of Accounts Paid - December 2023

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

#### 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 December 2023,
- Trust Fund Payments for December 2023, 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	3,3039,486.13
BPay/Credit Cards	12,450.31
Cheques	440.85

Payroll	947182.05
Bank Fees and Charges	1,147.62
<u>Municipal Fund Total</u>	4,000,706.96
<u>Trust Fund</u>	
Electronic Funds Transfers	0.00
<u>Trust Fund Total</u>	0.00

**Payment Cards**

Credit Cards	8,990.31
Fuel Cards – Ampol	12,058.57
Fuel Cards – Viva / Shell	10,282.01
Fuel Cards – Wex Motorpass	53.70
Taxi Cards – Cabcharge	1,094.59
<u>Payment Cards Total</u>	35,939.18

**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 December 2023, as included at Attachment 1.

**Council Decision**                      **024/2024**

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

**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 December 2023, as included at Attachment 1.**

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

**Against:**                                   **Nil**

**Carried 7/0**



## 13.6 Adoption of 2022/2023 Annual Report

<b>File Reference</b>	FM09
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	D Kennedy, Director Corporate Services
<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. 2022/2023 Shire of Ashburton Annual Report

### Report Purpose

The purpose of this report is to present to Council for acceptance the 2022/2023 Shire of Ashburton Annual Report and to set a date and time for the Annual General Meeting of Electors.

### Background

Pursuant to sections 5.53 and 5.54 of the *Local Government Act 1995*, (Act) the Shire is required to prepare an Annual Report and present it to Council for acceptance by 31 December of each calendar year.

Where the auditor's report is not available in time for the annual report to be accepted by 31 December, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

Furthermore, section 5.57 of the Act stipulates that a general meeting of electors is to be held once every financial year, but not more than 56 days after the local government accepts the Annual Report for the previous financial year.

A significant portion of the Annual Report are the Annual Financial Statements and Associated Notes.

The 2022/2023 Annual Report, incorporating all required Financial Reports and the Office of the Auditor General's, independent Auditor's Report is to be considered at a meeting of Audit and Risk Management Committee (Committee) at 8.30am on 20 February 2024.

This report for Council to accept the 2022/2023 Shire of Ashburton Annual Report, and to set a date and time for the Annual General Meeting of Electors was prepared prior to the Committee report, and it is contingent on the Committee recommending to Council the acceptance of the 2022/2023 Shire of Ashburton Annual Report.

### Comments

A copy of the 2022/2023 Shire of Ashburton Annual Report has been distributed to Elected Members. The Annual Report includes a full copy of the endorsed Annual Financial Report incorporating the Audit Report.

The recommended date for the Annual Electors meeting is Tuesday 19 March 2024, commencing at 4pm at the Ashburton Hall, Ashburton Avenue, Paraburadoo.

This will coincide with the March 2024 Ordinary Meeting of Council and comply with the requirements of the Act to provide a minimum of 14 days Public Notice from the date of acceptance of the annual report, and to be held within 56 days of acceptance.

**Consultation**

Executive Leadership Team  
Governance

**Strategic Community Plan**

Shire of Ashburton Strategic Community Plan 2022-2032

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

**Council Policy**

[Council Policies » Shire of Ashburton](#)

Nil

**Financial Implications**

Current Financial Year

Provision for advertising costs contained within the 2023/24 budget.

Future Financial Year(s)

Nil

**Legislative Implications**

The statutory implications associated with this item are sections 5.27, 5.29, 5.53, 5.54 and 5.55 if the *Local Government Act 1995*.

Section 5.54 of the Act require the Annual Report to be accepted by Absolute majority.

**Risk Management**

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

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Compliance	Annual Report not accepted within the requirements of the Act.	Rare (1)	Minor (2)	Low (1-4)	All compliance obligations will be met subject to Council endorsing recommendations contained within 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

**Officer Recommendation**

That with respect to the Adoption of the 2022/2023 Annual Report, Council,

1. Accepts the 2022/2023 Shire of Ashburton Annual Report, as provided at Attachment 1.
2. Convenes the Annual General Meeting of electors for 4pm, Tuesday 19 March 2024 at the Ashburton Hall, Paraburadoo.
3. Requests the Chief Executive Officer, pursuant to sections 5.29 and 5.55 of the *Local Government Act 1995*, to provide the requisite statutory local public notice of the acceptance of the 2022/2023 Shire of Ashburton Annual Report and the time and date of the Annual General Meeting of Electors.

**Council Decision**            **025/2024****Moved**                            **Cr L Rumble JP****Seconded**                        **Cr K White****That with respect to the Adoption of the 2022/2023 Annual Report, Council,**

- 1. Accepts the 2022/2023 Shire of Ashburton Annual Report, as provided at Attachment 1.**
- 2. Convenes the Annual General Meeting of electors for 4pm, Tuesday 19 March 2024 at the Ashburton Hall, Paraburadoo.**
- 3. Requests the Chief Executive Officer, pursuant to sections 5.29 and 5.55 of the *Local Government Act 1995*, to provide the requisite statutory local public notice of the acceptance of the 2022/2023 Shire of Ashburton Annual Report and the time and date of the Annual General Meeting of Electors.**

**For:**                    **A Smith, K White, R De Pledge, L Rumble JP, A Sullivan, M Lynch and B Healy****Against:**            **Nil****Carried By Absolute Majority 7/0**

### 13.7 Change in the Basis of Rating - C. D. Dodd Scrap Metal Recyclers

<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>	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>	<ol style="list-style-type: none"> <li>1. C D Dodd - Change in the Basis of Rating Consultation - Confidential</li> <li>2. C D Dodd - Response to consultation. - Confidential</li> </ol>

#### Report Purpose

The purpose of this report is to present to Council details with respect to rating the C.D. Dodd Scrap Metal Recycling business (C.D. Dodd) that has been established adjacent to the Pilbara Regional Waste Management Facility.

Council is requested to approve an application to the Minister for Local Government to change the basis of valuation to apply to this development from Unimproved Value (UV) to Gross Rental Value (GRV).

#### Background

The Shire has leased a portion of Crown Reserve 53324, to C.D.Dodd Scrap Metal Recyclers to establish a recycling business. An overview of the development is shown in the diagram below.



In accordance with the lease terms, local government rates are payable and form part of the outgoings.

To ensure that rates paid on this development are comparable to similar commercial developments in the Shire, a process to change the basis of rating is required. The reason for this will be explained below.

**Comments**

All rateable land, located outside of a townsite boundary automatically assumes a UV basis of rating irrespective of the predominate use.

Section 6.28 of the *Local Government Act 1995* (Act) provides that the Minister for Local Government (Minister), in determining the method of valuation, is to have regard to the general principle that the basis for a rate on any land is to be:

- (i) Unimproved Value (UV) where the land is used predominately for rural purposes;  
or
- (ii) Gross Rental Value (GRV) where the land is used predominately for non-rural purposes.

The Recycling Yard is not being used for a predominate rural purpose. The GRV basis should apply, and this requires an application to the Minister and a gazettal process to occur. Only then will the Valuer Generals Office (VGO) provide the Shire with the correct valuation for rating purposes.

As part of the application process to the Minister, consultation with the ratepayer is required and any submission considered as part of Council’s deliberation.

On 20 January 2024 a letter outlining the proposal was forwarded to C.D. Dodd via email and several clarifications answered via subsequent telephone calls. A copy of the letter is attached at Attachment 1.

As outlined in the letter without a change in the basis of rating, the UV that the VGO would apply to the C.D. Dodd lease would be based on the capitalisation of the annual lease payment. This would create an anomaly in the rate system whereby rates would be more than 3 times the annual lease payment.

On the 6 February 2024 the Chief Financial Officer for C.D. Dodd provided a response to the Shire’s enquiry, supporting an application to the Minister as detailed in Attachment 2.

**Consultation**

C.D. Dodd Scrap Metal Recyclers  
Department of Local Government – Principal Strategy Officer.

**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**

[Council Policies » Shire of Ashburton](#)

Nil

**Financial Implications**

Current Financial Year

Small cost of the gazettal process will be met from within existing approved budget.

Future Financial Year(s)

Additional rate revenue of approximately \$13,400 per annum.

**Legislative Implications**

Section 6.28 of the *Local Government Act 1995* - Basis of rates, defines that it is the Minister that determines the method of valuation of land to be used as the basis for a rate.

**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)	Adverse publicity from an inequitable application of rating policy.	Possible (3)	Moderate (3)	Moderate (5-9)	Anomaly outlined in the body of report is mitigated by making application to the Minister to change the basis of rating to be consistent with comparable commercial enterprises.

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 Change in the basis of rating - C. D. Dodd Scrap Metal Recyclers, Council,

1. Acknowledge that in accordance with Section 6.28 (2)(b) of the *Local Government Act 1995*, that the leased land is predominately used for non-rural purposes and that the gross rental value of land is the appropriate valuation basis.
2. Resolve to apply to the Minister for Local Government to change the basis of rating applicable to the lease area from unimproved value to gross rental value.
3. Request the Chief Executive Officer forward the completed application and supporting information to the Department of Local Government for consideration and gazettal processing.

**Council Decision**            **026/2024**

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

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

**That with respect to the Change in the basis of rating - C. D. Dodd Scrap Metal Recyclers, Council,**

- 1. Acknowledge that in accordance with Section 6.28 (2)(b) of the *Local Government Act 1995*, that the leased land is predominately used for non-rural purposes and that the gross rental value of land is the appropriate valuation basis.**
- 2. Resolve to apply to the Minister for Local Government to change the basis of rating applicable to the lease area from unimproved value to gross rental value.**
- 3. Request the Chief Executive Officer forward the completed application and supporting information to the Department of Local Government for consideration and gazettal processing.**

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

**Against:**            **Nil**

**Carried 7/0**

### 13.8 Quarterly Progress Reporting

<b>File Reference</b>	CM05
<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>	Ordinary Council Meeting 8 August 2023 - Item 13.3 - 156/2023
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	1. Council Strategies Quarterly Reporting - Q2 2023/2024

#### Report Purpose

The purpose of this report is to present the second quarter (1 October 2023 – 31 December 2023) progress updates to Council on the actions detailed in the Corporate Business Plan 2023-2027 (CBP), Community Access and Inclusion Plan 2023-2027 (CAIP) and Youth Strategy 2023-2025.

Council is requested to receive the second quarter progress updates (refer to Attachment 1).

#### Background

At its meeting held 8 August 2023, Council resolved to adopt the CBP and to receive quarterly progress updates on its implementation.

#### Comments

Quarterly progress reports:

- Enable Council to assess the Shire’s performance against the actions in its plans and strategies, identify risks and significant variations in project performance and budgeting, receive information needed to be able to make informed decisions, and be able to take action to address any issues that arise; and
- Provide Council and the community a higher level of transparency and accountability relating to strategic actions, plans and projects.

Detailed progress updates on the actions listed in the CBP, CAIP and Youth Strategy for the second quarter of 2023/2024 have been attached to this report. Statistics and further commentary for each plan/strategy has been included below.



Corporate Business Plan 2023-2027

The status of actions from the CBP are as follows.

<b>Strategic theme</b>	<b>Total actions</b>	<b>Actions completed</b>	<b>Actions in progress</b>	<b>Actions not started</b>	<b>Actions overdue</b>
People	23	0	21	2	0
Place	48	0	37	11	0
Prosperity	26	1	22	3	0
Performance	44	0	39	5	0
<b>Total</b>	<b>141</b>	<b>1</b>	<b>119</b>	<b>21</b>	<b>0</b>

The following action was completed during the reporting period.

<b>CBP action</b>	<b>Comment</b>
3.3.3.1 Collaborate with stakeholders to establish a Mosquito Management Control forum.	Quarterly meetings are scheduled and the forum is well attended to discuss mosquito management issues. Minutes of the meeting are recorded.

Community Access and Inclusion Plan 2023-2027

The status of actions from the CAIP are as follows.

<b>Outcome</b>	<b>Total actions</b>	<b>Actions completed</b>	<b>Actions in progress</b>	<b>Actions not started</b>
1. People with disability have the same opportunities as other people to access the services of, and any events organised by, a public authority.	10	0	8	2
2. People with disability have the same opportunities as other people to access the buildings and other facilities of a public authority.	11	0	2	9
3. People with disability receive information from the relevant public authority in a format that will enable them to access the information as readily as other people are able to access it.	8	0	1	7
4. People with disability receive the same level and quality of service from the staff of a public authority as other people receive from staff of that public authority.	10	0	4	6

5. People with disability have the same opportunities as other people to make complaints to a public authority.	3	1	0	2
6. People with disability have the same opportunities as other people to participate in any public consultation by a public authority.	4	0	2	2
7. People with disability can obtain and maintain employment with a public authority.	5	2	2	1
<b>Total</b>	<b>51</b>	<b>3</b>	<b>19</b>	<b>29</b>

The following actions were completed during the reporting period.

CAIP action	Comment
Establish a dedicated page on the website for all community feedback	Shire website has a complaints page activated.
Ensure all position descriptions state that workplace diversity, access and inclusion is a shared responsibility of all staff	The following statement has been included in all new/revised position descriptions: "Workplace Safety and Diversity, Access and Inclusion is a shared responsibility of all staff."
Include questions on access and inclusion relating to personal requirements, in staff surveys	Employee Exit Survey updated.

Youth Strategy 2023-2025

The status of actions from the Youth Strategy are as follows.

Strategic theme	Total actions	Actions completed	Actions in progress	Actions not started	Actions overdue
1. Spaces and activities	7	0	6	1	0
2. Health and wellbeing	5	0	4	1	0
3. Career pathways and development	8	0	5	3	0
4. Youth empowerment	6	0	3	3	0
5. Youth representation and identity	4	0	1	3	0

<b>Total</b>	<b>30</b>	<b>0</b>	<b>19</b>	<b>11</b>	<b>0</b>
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No actions were completed during the reporting period.

**Consultation**

Executive and Managers provided progress updates for their relevant areas.

**Strategic Community Plan**

Shire of Ashburton Strategic Community Plan 2022-2032

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

**Council Policy**

Nil

**Financial Implications**

Current Financial Year

Nil

Future Financial Year(s)

Nil

**Legislative Implications**

Section 2.7(b) of the *Local Government Act 1995* prescribes the Council is responsible for the performance of the local government’s functions. Providing regular progress updates assists Council to meet this requirement.

**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)	Negative public perception if the Shire does not meet progress expectations.	Possible (3)	Minor (2)	Moderate (5-9)	Provide regular updates to Council and the community via Council agendas and provide commentary where actions are not progressing in line with expected timeframes.

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 Quarterly Progress Reporting, Council, receives the progress reports as detailed in Attachment 1.

<b>Council Decision</b>	<b>027/2024</b>
<b>Moved</b>	<b>Cr B Healy</b>
<b>Seconded</b>	<b>Cr M Lynch</b>
<b>That with respect to Quarterly Progress Reporting, Council, receives the progress reports as detailed in Attachment 1.</b>	
<b>For:</b>	<b>A Smith, K White, R De Pledge, L Rumble JP, A Sullivan, M Lynch and B Healy</b>
<b>Against:</b>	<b>Nil</b>
<b>Carried 7/0</b>	

## 14 Infrastructure Services Reports

### 14.1 WALGA Zone Meeting - Line Marking Request on Shire Sealed Roads

<b>File Reference</b>	TT04
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	R Miller, Director Infrastructure Services
<b>Authorising Officer</b>	R Miller, Director Infrastructure Services
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	Nil

#### Report Purpose

Council is required to consider supporting a Western Australian Local Government Association (WALGA) Zone request to allow Council to install line marking on Shire low traffic volume roads for road safety initiatives with Main Roads approval but at full cost to Council.

The purpose of this report is to indicate Council's position to allow the Shire's WALGA Zone representative to present this position at the next zone meeting scheduled 22 February 2024.

Council is requested to support the proposal and to present this support to the WALGA Pilbara Country Zone meeting.

#### Background

The following correspondence has been received from WALGA requesting the Shire of Ashburton (the Shire) position to be presented at the next Pilbara Country Zone meeting on 22 February 2024.

*“As road managers, Local Governments place a high importance on road safety when planning, constructing, and maintaining the road network under their control. Low-cost road safety improvements are one of the most effective and financially feasible methods of increasing the safety of the road network for Local Governments.*

*The installation of **separation (centre)** and **edge line markings** on sealed roads is one such low-cost method, which can result in reductions of between 10% and 25% in casualty (killed and serious injury) crashes<sup>1</sup>, depending on the type of implementation and context. However, the current Main Roads warrant for installing line markings includes thresholds for traffic volumes that must be achieved before line marking will be installed. In many cases, these vehicle volume thresholds are not met, precluding the installation of line markings on roads that would otherwise meet the criteria for the provision of line markings.*

*Based on submissions from the Central Country Zone, WALGA State Council delegates will be asked at the March meeting to consider a proposed process whereby Local Governments can install and maintain line marking, with Main Roads’s approval, at their own cost on roads that carry low traffic volumes, but otherwise meet the warrant for line marking installation.*

*Participation in the proposed process would be completely voluntary. All costs would be borne by the Local Government in question and there would be no requirement for any Local Government to participate. As no lines would otherwise have been marked on roads that do not meet the Main Roads criteria, allowing Local Governments to undertake the line marking work does not represent a cost shift from the State to Local Government.*

*A Council resolution would be required to undertake the line marking works, committing the Local Government to funding the installation and maintenance costs. It would also be incumbent on Local Government to pay any maintenance costs or costs to remove the line markings, should maintenance not be undertaken to an acceptable standard”.*

The cost to install line markings varies between regions, but an approximate cost breakdown is as follows:

- Line marking (centre and edge lines) - \$1,580/km; Lifespan – 1-5 years
- Audio tactile line markings (centre and edge line)- \$7,000/km; Lifespan – 5 years

The WALGA Infrastructure Policy Team has requested that Councils consider this matter prior to the upcoming February/March Zone meetings so that your Zone representative is able to represent the collective view of Council.

**Comments**

Council registered as RoadWise Council at the November 2023 Council meeting. Having the option to apply line marking on low volume roads can be considered a cost effective road safety initiative. It should be noted that the proposal is voluntary, and any proposed works would normally be in response to customer requests or road safety audits/assessment.

**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	1 Improve road safety and connectivity to provide a safe and efficient road network.

**Council Policy**

[Council Policies » Shire of Ashburton](#)

Nil

**Financial Implications**

Current Financial Year

Expected to be minimal and any planned works would be included in Council’s budget.

Future Financial Year(s)

Cost impact would be minimal, but Council would be responsible for maintaining any installed line markings on low volume roads that don’t meet MRWA traffic volume thresholds but would otherwise meet criteria for provision of linemarking.

**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)	Reputational damage for not meeting Roadwise Council obligations	Rare (1)	Insignificant (1)	Low (1-4)	

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 WALGA Line marking request on Shire sealed roads , Council

1. Supports the proposal whereby Local Governments can install and maintain line marking, with Main Roads’s approval, at the Shire’s own cost on roads that carry low traffic volumes, but otherwise meet the warrant for line marking installation. and
2. Council’s WALGA Country Zone representative to advise of Council’s position as stated in 1. above, at the next Country Zone meeting on 22 February 2024.

**Council Decision**            **028/2024**

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

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

**That with respect to WALGA Line marking request on Shire sealed roads , Council**

- 1. Supports the proposal whereby Local Governments can install and maintain line marking, with Main Roads’s approval, at the Shire’s own cost on roads that carry low traffic volumes, but otherwise meet the warrant for line marking installation. and**
- 2. Council’s WALGA Country Zone representative to advise of Council’s position as stated in 1. above, at the next Country Zone meeting on 22 February 2024.**

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

**Against:**            **Nil**

**Carried 7/0**



## 14.2 Local Roads and Community Infrastructure Program (LRCIP)

<b>File Reference</b>	SD02
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	A Sheridan, Project Manager
<b>Authorising Officer</b>	R Miller, Director Infrastructure Services
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 12 December 2023 – Item 15.3 – Council Resolution 239/23
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	Nil

### Report Purpose

Council is required to authorise –

- a revised program of projects for delivery under Phase 4 of the Local Roads and Community Infrastructure Program (LRCIP);
- a new stormwater drainage project to be added to that program for delivery in the 2024/25 financial year; and
- a transfer of funds between Capital Projects which are budgeted for delivery in the current financial year.

The purpose of this report is to –

- provide information regarding the LRCIP;
- provide specific information regarding Phase 4 of the LRCIP;
- summarise guidelines which apply to the approval and funding of projects under the LRCIP;
- propose revised Phase 4 projects for funding under the Program; and
- propose relevant budget amendments which would give effect to these arrangements.

Council is requested to –

- approve the inclusion of new projects into Phase 4 of the LRCIP; and
- authorise the transfer of funds between capital projects, as outlined in this report; and
- authorise the inclusion of a Phase 4 LRCIP project in the draft 2024/25 budget.

### Background

#### Local Roads and Community Infrastructure Program (LRCIP)

The objective of the LRCIP Program is to stimulate additional infrastructure construction activity in local communities across Australia to assist communities to manage the impacts of COVID-19.

The Program is a temporary, targeted stimulus measure responding to the economic impact of COVID-19 by supporting local jobs, firms and procurement. There are two components to the approvals:

- The Grantee is required to enter into a formal funding agreement with the Funding Authority.
- A Grantee is only able to spend funds on Eligible Projects detailed in an approved Work Schedule.
- Grantees are required to notify the Commonwealth of significant changes that are likely to affect an Eligible Project. Agreements can only be varied in writing.

The LRCIP currently has four phases:

- **Phase 1.** Grant of \$773,161 for the following project:
  - Footpaths routes and links in Tom Price.  
*Project complete – total allocation has been acquitted.*
- **Phase 2.** Grant of \$865,187 (varied and approved in December 2023) for the following projects:
  - Electronic Road Condition Signage - \$300,000 (plus \$300,000 of Shire Funding).
  - Onslow Ocean Outfalls - \$565,187  
*The Eligible Construction Time Period (ECTP) for Phase 2 projects is 30 June 2024. Both projects are on track for delivery by 30 June 2024.*
- **Phase 3.** Grant of \$1,546,322 (varied and approved in December 2023) for the following project:
  - Anzac Park Foreshore Landscaping and Amenities - \$1,546,322  
*The ECTP for Phase 2 projects is 30 June 2024. The Funding Authority has been requested to extend the time frame for project delivery to 30 June 2025 under the “exceptional circumstances” provisions of the Funding Guidelines – as a result of unreasonable and unforeseen delays in obtaining ACH clearances.*
- **Phase 4.** Grant allocation of \$1,219,137 for the following projects (funding agreement in place / work schedules not yet submitted for approval):
  - \$773,161 Part A Roads and Community Infrastructure Projects - Paraburdoo Cenotaph Project
  - \$445,976 Part B Road Only Projects - Millstream – Pannawonica Road  
*The ECTP for Phase 4 projects is from 1 July 2023 to 30 June 2025.*

## Comments

Regarding the Phase 4 Projects, it has become apparent that an oversight in the approvals process means that the Paraburdoo Cenotaph project would effectively be ineligible for funding under the LRCIP.

In the case of the Paraburdoo Cenotaph project, it was clearly intended that this project to be funded from LRCIP Grant Funds, as evidenced by the following extract from the adopted budget:

<b>Parks and Recreation - New</b>					
Old Onslow Additional Road Signage <sup>2</sup>	X0157	46,000	-	46,000	
Old Onslow Contingency Works <sup>2</sup>	X0159	15,500	-	15,500	
Old Onslow Heritage Street Signs <sup>2</sup>	X0164	13,000	-	13,000	
Old Onslow Information App <sup>2</sup>	X0171	22,200	-	22,200	
Old Onslow Pedestrian and Parking Access <sup>2</sup>	X0186	46,000	-	46,000	
Paraburdoo Cenotaph <sup>2</sup>	X3047	(773,161)	310,000	790,000	1,100,000
<b>Total Parks and Recreation - New</b>		<b>(773,161)</b>	<b>452,700</b>	<b>790,000</b>	<b>1,242,700</b>

However, the Funding Guidelines clearly require that Work Schedules are to be approved before a project commences. The Paraburdoo Cenotaph Project is already underway and the necessary Work Schedule has not been lodged with, or approved by, the funding authority – which takes up to 28 days from lodgement to approval. In accordance with the funding guidelines:

*“Eligible Funding Recipients are required to submit a draft Work Schedule in the manner and form stipulated by the Department ... should Eligible Funding Recipients proceed with LRCI Phase 4 projects that have not been approved by the Program Delegate, all costs associated with these projects will be the responsibility of the proponent”.*

The Paraburdoo Cenotaph project is now well advanced and by the time a Works Schedule was lodged and approved, the project would be substantially complete, which is clearly contrary to the funding guidelines.

**Millstream Pannawonica Resheeting Project**

In regard to this project, the Shire tendered for Maintenance Grading of Roebourne-Wittenoom Rd and Pannawonica-Millstream Road (RFT 24.23) in late 2023. That tender closed on 18 January 2024 with a Tender Report to Council as part of the March OCM. Work under RFT 24.23 is comprised of the following:

- Roebourne-Wittenoom (R-W) Road - wet maintenance grade and construction of cement stabilised floodways on the Python Pool section of R-W Road.
- Millstream-Pannawonica Road:
  - Reinstatement of flood damage at various locations.
  - Reforming and resheeting of the road - SLK 4.20-4-40 and SLK 6.20-6.31.
  - Replace existing steel culverts at SLK 40.66 with Reinforced Concrete (RC) Pipes and replace existing HDPE pipes at SLK 92.9 with RC Box Culverts.

Unfortunately, tenders for RFT 24.23 have come in at a higher price than budgeted. The Asbestos Management requirements of this project make it extremely difficult to estimate with any degree of accuracy. It is not surprising that the tenders have come in with higher prices than the original estimate. In order to resolve the current shortfall, the Shire would have to either:

- a. reduce the scope of works to fit with the available budget, or
- b. identify additional funds to make up the shortfall.

Advice from the Probity Auditor is that a reduction in scope may require the project to be retendered, which is not a desirable outcome.

It is therefore proposed to allocate the LRCIP Phase 4 Part B funding (\$465,976) to make up part of the shortfall. The funding guidelines state that:

*“... funding is not intended to replace existing expenditure commitments but rather to enable further, additional expenditure as economic stimulus, and the possible requirement of proof of maintaining capital expenditure..”.*

The allocation of Grant funds as outlined above would clearly be in compliance with the funding guidelines as it would be funding that is in addition to the existing budget. Accordingly, a Work Schedule has been submitted to the Funding Authority for approval under Phase 4 Part B of the LRCIP. A Work Schedule can be easily amended/changed if necessary and there is a formal process for doing that.

### **Third Avenue Drainage Project, Onslow**

Council will recall (as per the 12 December 2023 Council Report) that three new projects were created in Onslow as part of ongoing drainage upgrades:

- Onslow Stormwater Pipe Cleaning and Relining
- Reconstruction of Ocean Outfalls, Onslow
- Regrade and replace existing stormwater pipes at the lower end of Third Avenue.

The first two of these projects are out to tender. Tenders for those projects will in fact have closed with contracts awarded by the time this report is tabled.

The last of these projects (Replace Stormwater Pipes at the Lower End of Third Ave) was allocated a project budget of \$950,000 at the December 2023 OCM. Since December, a detailed feature and services survey (using ground penetrating radar) of the site was organised as part of the design process. The services survey indicates a clash of services at the intersection of Cameron and Third Avenue. There are three asbestos water mains in that location which will need to be relocated prior to any work on the new drain. This will require a design for the relocation and having that design approved by Water Corp.

As a result, it will not be possible to deliver that project by the end of the current Financial Year. The majority of funding from that project is therefore available for reallocation to the Paraburdoo Cenotaph project.

It is however, proposed to continue with the detailed design of the Third Avenue stormwater project and to arrange for the relocation of the asbestos water mains in the current Financial Year (if feasible), with further work to be undertaken in subsequent financial years.

### **Flood Modelling in Onslow**

Most Councillors will recall a presentation and report from July 2023 regarding the Onslow flood modelling studies. Those studies are nearing completion, and it is proposed to provide a further report to Council on the outcome of that work in due course. Importantly, a number of drainage projects have been identified for the town; the combination of which will have a significant impact on flooding in the town.

While the proposed improvements will not have a great deal of impact in extreme events such as severe cyclones (as the ocean will be higher than the ocean outlets), they will most certainly improve the situation in more frequent rain events (one in 20 year).

In summary, the following drainage projects are proposed for implementation in Onslow over the coming years, including the following (refer location map at Figure 1):

- A new Ocean Outlet at the northern end of the town with a discharge through the existing caravan park.
- A new Ocean Outlet which would intercept water from Third Avenue and that area of Second Avenue near the Post Office, and which would discharge through the existing retirement village.
- Expanding the storage volume of Basin 2 and installing a new Ocean Outlet direct from Basin 2 to the Ocean. This option also incorporates the following:
  - Relaying / regrading of drainage pipes in the lower part of Third Avenue.
  - Replacing the existing box culvert under McGrath Avenue.
  - Reconstructing the existing lined drain in Basin 2.
  - Regrading of the Detention Basins.



Figure 1: Location Map – Future Drainage Projects, Onslow Town Centre

As the work at the intersection of Second Avenue and Third Street (near the Onslow Beach Resort) would impact on the Streetscape project, that work will now need to take priority over the proposed works on Third Avenue. For obvious reasons, that work (or at least part of it) needs to be complete prior to the Streetscape Project commencing.

It is therefore proposed that this project (Second Avenue and Third Street Drainage upgrade), or part of it, be funded with the LRCIP Phase 4 Part A Grant - \$773,161.

Again, a separate report on the Onslow Flood Studies will be provided to Council in due course. In the interim, feature and services surveys have been organised for the areas in question (refer Figure 1) so that concept design and preliminary costing work can proceed ahead of the 2024/25 budget.

**Consultation**

- Director Community Development
- Director Infrastructure Services
- Director Corporate Services
- Manager Financial Services

**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	2.1 Coordinated delivery of natural and built environment services and projects for the community
Strategy	1 Develop and maintain key natural and built environment services partnerships, both internally and externally, to support Council’s vision.

**Council Policy**

[Council Policies » Shire of Ashburton](#)

All project procurement is to be in accordance with Council’s Purchasing and Procurement Policy.

**Financial Implications**

Current Financial Year

Following on from the Commentary as provided above, the following budget amendments are proposed:

- X3047 – Paraburdoo Cenotaph. Current Project Budget - \$1,040,000. Reduce the Grant Funding Component of this project by \$773,161.
- X3592 – Onslow Stormwater Pipe Upgrade – Third Avenue. Current Project Budget - \$950,000. Transfer \$773,161 to X3407 – Paraburdoo Cenotaph.
- X3037 – Millstream Pannawonica Rd. Current Project Budget - \$757,600. On approval of the subject Works Schedule by the Funding Authority, increase the budget by \$445,976 in Grant Funding under LRCIP Phase 4 Part B.

Future Financial Year(s)

It is proposed to include the following Grant Funded project in the draft 2024/25 budget:

- Second Avene and Third Street Drainage Upgrade - \$773,161 in Grant Funding under LRCIP Phase 4 Part A.

The Net effect of the changes as proposed above (over both the current and future financial years) is zero.

**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
Financial impact	Potential loss of LRCIP Grant Funds	Possible (3)	Major (4)	High (10-16)	Transfer Grant funds to alternative projects as outlined in this report
Property (plant, equipment, buildings)	Significant damage requiring internal and external resources to rectify	Possible (3)	Moderate (3)	Moderate (5-9)	Continue with design of drainage projects in Onslow and include program for funding in budget.
Reputation (social/community)	Substantiated public embarrassment, widespread high impact on community trust, high media profile, third party actions.	Possible (3)	Moderate (3)	Moderate (5-9)	As above.

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 the Local Roads and Community Infrastructure Program, Council approves:

1. The following budget amendments:
  - a) X3047 – Paraburdoo Cenotaph. Current Project Budget - \$1,040,000. Reduce the Grant Funding component of this project by \$773,161.
  - b) X3592 – Onslow Stormwater Pipe Upgrade – Third Avenue. Current Project Budget - \$950,000. Transfer \$773,161 to X3407 – Paraburdoo Cenotaph.
  - c) X3037 – Millstream Pannawonica Road. Current Project Budget - \$757,600. On approval of the subject Works Schedule by the Funding Authority, increase the budget by \$445,976 in Grant Funding under LRCIP Phase 4, Part B.
2. The proposed Second Avenue and Third St Drainage Upgrade Project to be funded under LRCIP Phase 4, Part A and the inclusion of this project in the draft 2024/25 budget.

**Council Decision            029/2024**

**Moved                            Cr L Rumble JP**

**Seconded                        Cr R De Pledge**

**That with respect to the Local Roads and Community Infrastructure Program, Council approves:**

**1. The following budget amendments:**

- a) X3047 – Paraburdoo Cenotaph. Current Project Budget - \$1,040,000. Reduce the Grant Funding component of this project by \$773,161.**
- b) X3592 – Onslow Stormwater Pipe Upgrade – Third Avenue. Current Project Budget - \$950,000. Transfer \$773,161 to X3407 – Paraburdoo Cenotaph.**
- c) X3037 – Millstream Pannawonica Road. Current Project Budget - \$757,600. On approval of the subject Works Schedule by the Funding Authority, increase the budget by \$445,976 in Grant Funding under LRCIP Phase 4, Part B.**

**2. The proposed Second Avenue and Third St Drainage Upgrade Project to be funded under LRCIP Phase 4, Part A and the inclusion of this project in the draft 2024/25 budget.**

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

**Against:                    Nil**

**Carried By Absolute Majority 7/0**



## 15 Community Development Reports

Nil

## 16 Councillor Agenda Items / Notices of Motion

Nil

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

### Officer Recommendation

That Council, at X:XXpm, pursuant to Clause 5.4 of the *Shire of Ashburton Standing Orders Local Law 2012*, introduced the following items as new business of an urgent nature,

17.1 Request to Vary Road Use Agreement - Mt Stuart Red Hill Road

17.2 Advocacy in relation to Tom Price Hospital construction

**Council Decision**            **030/2024**

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

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

**That Council, at 3:07pm, pursuant to Clause 5.4 of the *Shire of Ashburton Standing Orders Local Law 2012*, introduced the following items as new business of an urgent nature,**

**17.2 Advocacy in relation to Tom Price Hospital construction**

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

**Against:**            **Nil**

**Carried 7/0**

### Reason for change

Further information has become available in regards to Item 17.1 Request to Vary Road Use Agreement - Mt Stuart Red Hill Road which requires investigation prior to Council consideration and this matter has been withdrawn.

## 17.1 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>	A Sheridan, Project Manager
<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>	1. Road User Agreement - Mt Stuart Red Hill Road - Confidential

### Report Purpose

Council is required to consider a Variation to the existing Mt Stuart Red Hill Rd Road Use Agreement (RUA) between Mineral Resources Pty Ltd (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 provide details of the requested amendment and to make a recommendation regarding the proposed Variation.

Council is requested to approve the proposed Variation.

### 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 provided at 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”.*

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.

### 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 signed on behalf of each Party.

### Consultation

Chief Executive Officer  
Director Infrastructure Services

**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](#)

Road Management Policy

*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**

The *Local Government Act 1995* - Section 3.53, provides for local government to be responsible for controlling or managing thoroughfares.

The *Road Traffic Act 2008* - Section 132 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 of Ashburton expending funds to maintain / upgrade the road.	Unlikely (2)	Insignificant (1)	Low (1-4)	Provisions contained within the Existing RUA that require MinRes to be responsible for all costs associated with upgrading and maintaining the road.

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 Mt Stuart Red Hill Rd Road Use Agreement (RUA), Council:

1. Approve the request to vary Clause 4(a)(ii) of the RUA between the Shire of Ashburton, Mineral Resources Pty Ltd, Crushing Services International Pty Ltd and Onslow Iron Pty Ltd by extending the use of Mt Stuart Red Hill Road from 30 March 2024 to 31 October 2024.
2. Authorise the Chief Executive Officer to formalise this Variation in accordance with Clause 22 of the RUA.

## 17.2 Advocacy in relation to Tom Price Hospital construction

<b>File Reference</b>	GR16
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	K Donohoe, Chief Executive Officer
<b>Authorising Officer</b>	K Donohoe, Chief Executive Officer
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Media Release - \$20M Tom Price Hospital Announcement</li> <li>2. Letter from the Hon Amber-Jade Sanderson MLA</li> </ol>

### Report Purpose

Council is required to consider its position in relation to its advocacy for the Tom Price Hospital.

The purpose of this report is to request direction from the Council, in relation to what direction the Council wishes to pursue in a political lobbying perspective, concerning the development of a new hospital in Tom Price and associated medical services in Paraburdoo.

Council is requested to direct the Chief Executive Officer on a direction that the Council wishes to pursue to develop an advocacy strategy or other actions to support the development of the Tom Price Hospital and medical services in Paraburdoo.

### Background

In February 2021, the State of Western Australia, Rio Tinto Iron Ore (RTIO) and the Shire of Ashburton gave commitments to developing the Tom Price Hospital. A commitment of \$32.8 million was given to the construction of the project which was expected to develop in the short term after the completion of the Newman Hospital. \$20 million of this capital investment was to be committed through RTIO.

The Shire of Ashburton's contribution was to make available a portion of vacant land bordered by East Road, Poinsettia and South Street to the WA Country Health Services to build the hospital on.

Council requested the Chief Executive Officer to write to the Minister for Health in relation to Council's concerns regarding the continued lack of progress for the commissioning works of the hospital in Tom Price and the condition of the Paraburdoo Hospital.

Council has subsequently received correspondence from the Minister's office which advised the matter remains an active matter for the State Government and that the State's Departments were investigating the financial costs associated with the development attached.

In effect there is no commitment to build the hospital in the short term.

## Comments

Council has consistently sought to have the matter considered through the State's Departments and then at Ministerial level. The attached correspondence indicates that the State has not allocated funds, other than preliminary costs for the development to the project.

Elected members have indicated to the Chief Executive Officer that the seriousness of this lack of commitment to the development of hospitals in Tom Price and Paraburdoo is significant and the Council needs to take a more proactive advocacy strategy to instil a sense of urgency to the State Government.

The catchment area for the hospital sites is not just the towns of Tom Price and Paraburdoo but also outlying mining settlements and upwards of 500,000 persons that visit the district annually to see the Karijini and Millstream National Parks.

The Tom Price Hospital is 57 years old.

To date staff have met with WA Country Health Service on multiple occasions who have advised that the costs have significantly increased since the project was announced in 2021. Costs have increased from \$32 million to in excess of \$70 million.

Council requested the Chief Executive Officer to write to the Minister expressing its concern that this is an important matter for Government and inviting the Minister to meet with Council and view the existing sites and levels of service.

The response received indicates that the State Government has not allocated funding to build the site even in its four year forecasts other than several million dollars allocated towards investigations.

It is highly likely that cost overruns in Metronet or other Health commitments in the metropolitan area or other country zones have been determined to be a higher health/public risk or priority than investing in community health within the Shire of Ashburton. It is assumed that pressure is being put on the resource sector to fund the State's commitments as costs continue to escalate as delays continue.

Both the Shire President and the Chief Executive Officer have spoken with senior persons from RTIO to ask whether the company would contribute further funds towards the project to support the State Government. The response being that the company has committed an allocation of \$20 million towards supporting the project. The company is not in the position to be developing that which is a State Government responsibility.

## Options

1. Council could request that the Shire President write to the Minister requesting an opportunity to address the matter in person with the Minister in Perth as the Minister has not indicated any formal dates for visiting the Shire and viewing the sites attached.
2. Council could prepare a further advocacy document and develop a social media strategy to lobby the Government.
3. Council could do (point 2) above and seek to market its position into Perth directly aimed at those people that work in regional areas and call upon their support to assist the communities of Tom Price and Paraburdoo.
4. Council could wait for State's funding and build programme which is estimated to be sometime between 5-7 years.

**Consultation**

Minister for Health, Amber Jade – Sanderson via correspondence.

Regional Manager, WA Country Health Service via meetings with staff and correspondence.

RTIO – Staff via in person meetings.

**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	1.1 Coordinated delivery of social services and projects for the community
Strategy	3 Provide safe and welcoming centres to help address social isolation in the community.

**Council Policy**

[Council Policies » Shire of Ashburton](#)

Nil

**Financial Implications**

Current Financial Year

Funding is available in Council’s Media and Communications budget and if Council wishes to increase a marketing option based on its instruction to the CEO then these funds could be sourced during mid-year review.

Future Financial Year(s)

Unknown at this time.

**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	Lack of faith in Council to not advocate for community health outcomes.	Likely (4)	Major (4)	Moderate (5-9)	Council considers an option presented or defines another strategy and advises its community that it is advocating within its powers.

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 developing an advocacy strategy for the redevelopment of the Tom Price Hospital and upgrades to the Paraburdoo Hospital, Council,

1. Instructs the Chief Executive Officer to prepare an advocacy document, inclusive of a social media strategy to lobby for the development of the Tom Price Hospital for circulation in regional and metropolitan regions of Western Australia utilising all media mixes available to the Shire.
2. Writes to the Minister for Health requesting a meeting in the metropolitan area to discuss Tom Price and Paraburdoo health services with the Shire President and staff.
3. Requests the Chief Executive Officer to prepare a business case for further funding for the development of the strategy if current budget funds are insufficient during the financial mid-year review.

## Alternative Recommendation

That with respect to developing an advocacy strategy for the redevelopment of the Tom Price Hospital and upgrades to the Paraburdoo Hospital, Council,

1. Instructs the Chief Executive Officer to prepare an advocacy document, inclusive of a social media strategy to lobby for the development of the Tom Price Hospital for circulation in regional and metropolitan regions of Western Australia utilising all media mixes available to the Shire.
2. Writes to the Minister for Health requesting a meeting in the metropolitan area to discuss Tom Price and Paraburdoo health services with the Shire President and staff.
3. Requests the Chief Executive Officer to prepare a business case for further funding for the development of the strategy if current budget funds are insufficient during the financial mid-year review.
4. Receives the letter:
  - a. to the Minister for Health requesting the Minister to visit the Tom Price and Paraburdoo Hospital Sites dated 18 October 2023.
  - b. from Western Mine Workers Alliance (WMW) regarding Serious Concerns About Front Line Health Services in Tom Price and Paraburdoo dated 19 February 2024.



**Council Decision**            **031/2024**

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

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

**That with respect to developing an advocacy strategy for the redevelopment of the Tom Price Hospital and upgrades to the Paraburdoo Hospital, Council,**

- 1. Instructs the Chief Executive Officer to prepare an advocacy document, inclusive of a social media strategy to lobby for the development of the Tom Price Hospital for circulation in regional and metropolitan regions of Western Australia utilising all media mixes available to the Shire.**
- 2. Writes to the Minister for Health requesting a meeting in the metropolitan area to discuss Tom Price and Paraburdoo health services with the Shire President and staff.**
- 3. Requests the Chief Executive Officer to prepare a business case for further funding for the development of the strategy if current budget funds are insufficient during the financial mid-year review.**
- 4. Receives the letter:**
  - a. to the Minister for Health requesting the Minister to visit the Tom Price and Paraburdoo Hospital Sites dated 18 October 2023.**
  - b. from Western Mine Workers Alliance (WMW) regarding Serious Concerns About Front Line Health Services in Tom Price and Paraburdoo dated 19 February 2024.**

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

**Against:**            **Nil**

**Carried 7/0**

**Reason for change:**

The letters have direct relevance to the item.

## 18 Confidential Matters

### Procedural Motion

Moved Cr K White

Seconded Cr M Lynch

That Council move behind closed doors at 3:10pm, pursuant to clause 6.2 of the *Shire of Ashburton Standing Orders Local Law 2012* to consider the following confidential items.

- 18.1 Buurabalayji Thalanyji Aboriginal Corporation - Proposed Aboriginal Heritage Deed
  - 18.2 Property Purchase - Onslow and Paraburdoo
  - 18.3 Lockyer Avenue, Paraburdoo
  - 18.4 Forfeited Exploration Mining Tenements - A51059 and A6769
  - 18.5 Forfeited Exploration Mining Tenements - A7244, A7246 and A7501
  - 18.6 Surrendered Exploration Mining Tenement - A52110
  - 18.7 Pilbara Regional Waste Management Facility - Status Update February 2024
  - 18.8 Road Use Agreement - Towera and Towera-Lyndon Road
  - 18.9 Proposed Memorandum of Understanding - Innovate Onslow Community Partnership
- 8.1 Chief Executive Officer's 2023/24 Performance Review Process

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

- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting
- (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
- (a) a matter affecting an employee or employees
- (b) the personal affairs of any person
- (e) a matter that if disclosed, would reveal –
  - (i) a trade secret; or
  - (ii) information that has a commercial value; or
  - (iii) information about the business, professional, commercial or financial affairs of a person

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

Against: Nil

Carried 7/0

### 18.1 Buurabalayji Thalanyji Aboriginal Corporation - Proposed Aboriginal Heritage Deed

<b>File Reference</b>	LS08
<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>	Nil
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. 2012 Deed of Heritage Agreement - Confidential</li> <li>2. Proposed - 2023 Land Access and Heritage Protection Agreement - Deed - Confidential</li> <li>3. Determination Maps and Information</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)(d) of the Local Government Act 1995 as the subject matter relates to:</i>
<b>Sub-clause and Reason:</b>	<i>“s.5.23(2)(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.”</i>

#### **Report Purpose**

In 2012, the Shire entered into an Aboriginal Heritage Agreement with the Buurabalayji Thalanyji Aboriginal Corporation's (BTAC) providing for engagement with BTAC and the conduct of Aboriginal cultural heritage surveys (2012 Deed), as provided at Attachment 1. It is unclear whether the Shire's entry into the 2012 Agreement involved consideration by Council.

Recent statutory changes to Aboriginal Cultural Heritage provide an opportunity for the review and updating of the 2012 Deed.

BTAC has provided the Shire with its draft standard non-mining Heritage Agreement (2023 Deed), as provided at Attachment 2, and invited the Shire to enter into the 2023 Deed.

This report prepared by HWL Ebsworth Lawyers considers the appropriateness of:

- (a) entry into, or negotiation in relation to, the 2023 Deed; or
- (b) the continued operation of the 2012 Deed, with or without review/amendment.

**Voting Requirements**

Simple Majority

**Council Decision**            **032/2024****Moved**                            **Cr K White****Seconded**                        **Cr L Rumble JP**

That with respect to the existing *Deed of Heritage Agreement for Maintenance and Construction of Shire Infrastructure within the Thalanyji Native Title Determined Area* dated 1 February 2012 and the proposed *Land Access and Heritage Protection Agreement (Non-Mining Activities)* dated 2023, Council,

1. Resolves to authorise the Chief Executive Officer to inform Buurabalayji Thalanyji Aboriginal Corporation that:
  - a. the proposed standard *Land Access and Heritage Protection Agreement (Non-Mining Activities)* dated 2023 is not appropriate for the Shire's operations and the Shire of Ashburton declines to enter into that agreement;
  - b. the operative *Deed of Heritage Agreement for Maintenance and Construction of Shire Infrastructure within the Thalanyji Native Title Determined Area* dated 1 February 2012 remains effective in addressing matters of Aboriginal Cultural Heritage arising out of Shire of Ashburton operations but that the Shire of Ashburton is prepared to engage with Buurabalayji Thalanyji Aboriginal Corporation to review, and where necessary negotiate the amendment of that agreement in accordance with contemporary standards.

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

**Against:**                    **Nil**

**Carried 7/0**

## 18.2 Property Purchase - Onslow and Paraburdoo

<b>File Reference</b>	PAY.0014
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	R Wright, Executive Manager Land, Property and Regulatory Services
<b>Authorising Officer</b>	J Sangster, Deputy Chief Executive Officer
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Valuation Payne Way - Confidential</li> <li>2. Valuation Pilbara Ave - Confidential</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**

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

Council is requested to consider purchasing the properties and progression of offers to purchase.

### **Voting Requirements**

Simple Majority

**Officer Recommendation**

That with respect to residential property purchase in Onslow and Paraburdoo for employee accommodation purposes, Council:

1. Authorises the Chief Executive Officer to sign and submit a formal offer and acceptances contract to purchase Lot 920 (14) Payne Way, Onslow and Lot 81 (12) Pilbara Avenue, Paraburdoo in fee simple for an amount not exceeding the amount provided for within the body of this report.
2. Authorises the Chief Executive Officer on acceptance of the offer for Lot 920 (14) Payne Way, Onslow and Lot 81 (12) Pilbara Ave, Paraburdoo and following all necessary due diligence, to engage a suitably qualified property conveyancer to finalise the purchases on behalf of the Shire of Ashburton.
3. Approves the expenditure to purchase the properties, as outlined in point 1 and 2 and as detailed in the body of this report, from GL X3430.
4. Approves for any transfer of land documents that arise to be endorsed by the Chief Executive Officer under s.9.49 of the *Local Government Act 1995*, or where there is a formal requirement for the Common Seal, authorise the Shire President and Chief Executive Officer to engross all documents associated with the purchases.

**Council Decision**                      **033/2024**

**Moved**                                      **Cr K White**

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

**That with respect to residential property purchase in Onslow and Paraburdoo for employee accommodation purposes, Council:**

1. **Authorises the Chief Executive Officer to sign and submit a formal offer and acceptances contract to purchase Lot 920 (14) Payne Way, Onslow, for transit accommodation, and Lot 81 (12) Pilbara Avenue, Paraburdoo in fee simple for an amount not exceeding the amount provided for within the body of this report.**
2. **Authorises the Chief Executive Officer on acceptance of the offer for Lot 920 (14) Payne Way, Onslow and Lot 81 (12) Pilbara Ave, Paraburdoo and following all necessary due diligence, to engage a suitably qualified property conveyancer to finalise the purchases on behalf of the Shire of Ashburton.**
3. **Approves the expenditure to purchase the properties, as outlined in point 1 and 2 and as detailed in the body of this report, from GL X3430.**
4. **Approves for any transfer of land documents that arise to be endorsed by the Chief Executive Officer under s.9.49 of the *Local Government Act 1995*, or where there is a formal requirement for the Common Seal, authorise the Shire President and Chief Executive Officer to engross all documents associated with the purchases.**
5. **Authorises the Chief Executive Officer to investigate and submit conditional offers on two more properties in Onslow for staff accommodation.**

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

**Against:** Nil

**Carried 7/0**

**Reason for change:**

Council recognises the increases rental costs affecting staff employment and request the CEO to look at purchasing additional residential stock.

### 18.3 Lockyer Avenue, Paraburdoo

<b>File Reference</b>	516.LOC
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	R Wright, Executive Manager Land, Property and Regulatory Services
<b>Authorising Officer</b>	I Bishop, Deputy Chief Executive Officer
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	1. Inspection Photos - Lockyer Avenue Paraburdoo - Confidential

#### ***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)(a) and (b) of the Local Government Act 1995 as the subject matter relates to:</i>
<b>Sub-clause and Reason:</b>	<i>“s.5.23(2)(a) and (b) a matter affecting an employee or employees and the personal affairs of any person.”</i>

#### **Report Purpose**

Council is required to consider options for its property 516 Lockyer Avenue, Paraburdoo. Options include, demolition and redevelopment, disposal of the property to a third party or complete refurbishment.

#### **Voting Requirements**

Simple Majority



**Council Decision**            **034/2024**

**Moved**                        **Cr K White**

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

**In consideration of the Shire owned property located at Lot 516 Lockyer Avenue, Paraburdoo, that Council,**

- 1. Endorses Option 1 of this report being the demolition of the single house in 2024, for the purpose of construction of two new residences on the site.**
- 2. Includes Lot 516 Lockyer Avenue Paraburdoo as a future capital works item in the Shire's Long Term Financial Plan to establish two new dwellings on the site.**
- 3. Allocates required budget in the 2024-2025 annual budget to commence planning and design for the two new dwellings.**

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

**Against:**            **Nil**

**Carried 7/0**

### 18.4 Forfeited Exploration Mining Tenements - A51059 and A6769

<b>File Reference</b>	RV12
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	D Kennedy, Director Corporate Services
<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>	Nil

#### **Reason for Confidentiality**

<b>Section under the Act</b>	<i>This matter is to be considered behind closed doors pursuant to s.5.23(2)(b) and (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)(b) and (c) the personal affairs of any person and 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 consider the debt outstanding on Assessments A51059 and A6769.

The purpose of this report is to provide sufficient information to allow Council to make an informed decision.

Council is requested to approve the write-off of outstanding rates totalling \$18,366.12.

#### **Voting Requirements**

Simple Majority

<b>Council Decision</b>	<b>035/2024</b>
<b>Moved</b>	<b>Cr K White</b>
<b>Seconded</b>	<b>Cr M Lynch</b>
<b>That with respect to Forfeited Exploration Mining Tenements - A51059 and A6769, Council, approve the Officer’s Recommendation as detailed in the body of this report</b>	
<b>For:</b>	<b>A Smith, K White, R De Pledge, L Rumble JP, M Lynch and B Healy</b>
<b>Against:</b>	<b>A Sullivan</b>
<b>Carried 6/1</b>	

**18.5 Forfeited Exploration Mining Tenements - A7244, A7246 and A7501**

<b>File Reference</b>	RV12
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	D Kennedy, Director Corporate Services
<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>	Nil

***Reason for Confidentiality***

<b><i>Section under the Act</i></b>	<i>This matter is to be considered behind closed doors pursuant to s.5.23(2)(b) and (c) of the Local Government Act 1995 as the subject matter relates to:</i>
<b><i>Sub-clause and Reason:</i></b>	<i>“s.5.23(2)(b) and (c) the personal affairs of any person and 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 consider the debt outstanding on Assessments A7244, A7246 and A7501.

The purpose of this report is to provide sufficient information to allow Council to make an informed decision.

Council is requested to approve the write-off of outstanding rates totalling \$15,001.83.

**Voting Requirements**

Simple Majority

**Council Decision**            **036/2024**

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

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

**That with respect to Forfeited Exploration Mining Tenements - A7244, A7246 and A7501, Council, approve the Officer's Recommendation as detailed in the body of this report**

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

**Against:**            **A Sullivan**

**Carried 6/1**

### 18.6 Surrendered Exploration Mining Tenement - A52110

<b>File Reference</b>	RV12
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	D Kennedy, Director Corporate Services
<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. NRG Corporate Offer - Confidential

#### **Reason for Confidentiality**

<b>Section under the Act</b>	<i>This matter is to be considered behind closed doors pursuant to s.5.23(2)(b) and (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)(b) and (c) the personal affairs of any person and 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 consider the debt outstanding on Assessment A52110.

The purpose of this report is to provide sufficient information to allow Council to make an informed decision.

Council is requested to approve the write-off of outstanding rates totalling \$48,035.76

#### **Voting Requirements**

Simple Majority

**Council Decision**                    **037/2024**

**Moved**                                    **Cr K White**

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

**That with respect to the Surrendered Exploration Mining Tenement – A52110, Council, approve the Officer’s Recommendation as detailed in the body of this report.**

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

**Against:**            **A Sullivan**

**Carried 6/1**

### 18.7 Pilbara Regional Waste Management Facility - Status Update February 2024

<b>File Reference</b>	WM07
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	D Kennedy, Director Corporate Services
<b>Authorising Officer</b>	R Miller, Director Infrastructure Services
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 14/11/2023 - Item 18.1 – 212/2023.
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	1. PRWMF Fees and Charges 2023/2024 - Confidential

#### 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) and (e) of the Local Government Act 1995 as the subject matter relates to:</i>
<b>Sub-clause and Reason:</b>	<p><i>“s.5.23(2)(c) and (e) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting and a matter that if disclosed, would reveal –</i></p> <ul style="list-style-type: none"> <li><i>(i) a trade secret; or</i></li> <li><i>(ii) information that has a commercial value; or</i></li> <li><i>(iii) information about the business, professional, commercial or financial affairs of a person.”</i></li> </ul>

#### Report Purpose

Council is required to consider the Pilbara Regional Waste Management Report – Status Update February 2024.

The purpose of this report is to provide Council with an update since the decision was made by Council in November 2023 to bring operations inhouse.

Council is requested to approve the Officers recommendations as detailed in the report.

#### Voting Requirements

Simple Majority

**Officer Recommendation**

That with respect to the Pilbara Regional Waste Management Facility – Status Update February 2024, Council approve the recommendations, as detailed in the body of this report.

**Council Decision                    038/2024**

**Moved                                    Cr M Lynch**

**Seconded                                Cr K White**

**That with respect to the Pilbara Regional Waste Management Facility – Status Update February 2024, Council,**

- 1.    Receives and notes the update with regards to transitioning the operation of the Pilbara Regional Waste Management Facility inhouse from 29 February 2024.**
- 2.    Endorses the attached Fees and Charges (Commercial in Confidence), for the Pilbara Regional Waste Management Facility to apply from 29 February 2024.**
- 3.    Endorses the disbanding of the Pilbara Regional Waste Management Facility Alliance Board Working Group as at the termination date of the Letter of Intent Agreement with Pilbara Environmental Services.**

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

**Against:            Nil**

**Carried 7/0**

**Reason for change:**

To ensure clarity regarding the Officers Recommendation.

### 18.8 Road Use Agreement - Towera and Towera-Lyndon Road

<b>File Reference</b>	RD0049
<b>Applicant or Proponent(s)</b>	Yangibana Proprietary Limited
<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 10 May 2022 - Item 14.1 – 061/2022
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Greenfield Follow Up Inspection Dec 2023</li> <li>2. Request to Terminate RUA</li> <li>3. Road Use Agreement</li> <li>4. Yangibana Forfeiture of Security</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 consider an application by Yangibana Proprietary Limited (Yangibana) to terminate the Road Use Agreement with the Shire of Ashburton for the ongoing maintenance of Towera Road and Towera-Lyndon Road.

The purpose of this report is to provide sufficient information for Council to make an informed decision regarding Yangibana’s application.

Council is requested to terminate the Road Use Agreement between Yangibana Proprietary Limited and the Shire of Ashburton for the ongoing maintenance of Towera Road and Towera-Lyndon Road.



**Voting Requirements**

Absolute Majority

**Council Decision**            **039/2024****Moved**                            **Cr R De Pledge****Seconded**                      **Cr L Rumble JP**

**That with respect to the Road Use Agreement with Yangibana Proprietary Limited for the maintenance of Towera Road and Towera-Lyndon Road, Council,**

- 1. Accepts the termination of the Road Use Agreement with Yangibana Proprietary Limited and acknowledges that the \$100,000 security held by the Shire will be forfeited by Yangibana Proprietary Limited and used by the Shire towards works identified in the Greenfield Road Use Inspection Report December 2023 to bring up to a satisfactory condition.**
- 2. Direct the Chief Executive Officer to call upon and draw down the full \$100,000 Security Deposit to fund remediation works on Towera Road and Towera-Lyndon Road.**

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

**Against:            Nil**

**Carried By Absolute Majority 7/0**

### 18.9 Proposed Memorandum of Understanding - Innovate Onslow Community Partnership

<b>File Reference</b>	CM01.2
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	K Donohoe, Chief Executive Officer
<b>Authorising Officer</b>	K Donohoe, Chief Executive Officer
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	1. Memorandum of Understanding - Innovate Onslow Community Partnership - Confidential

#### **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 intreated to consider an opportunity for a capital contribution to projects in Council’s long-term vision that will improve the liveability of Onslow. This opportunity has developed as a result of a voluntary commitment of Mineral Resources Limited (Mineral Resources) to contribute a sum of funds towards the development of Onslow.

Council is requested to consider entering into a Memorandum of Understanding to a value of \$30 million for infrastructure contribution towards economic development within the town that comprise three (3) projects as comprised from the Onslow – Towards a Visitor Economy informing strategy.

**Voting Requirements**

Simple Majority

**Council Decision            040/2024**

**Moved                            Cr R De Pledge**

**Seconded                      Cr A Sullivan**

**That with respect to the endorsement of the Memorandum of Understanding - Innovate Onslow Community Partnership with Mineral Resources Limited, as provided in confidential Attachment 1, Council:**

- 1. Agrees to enter into the Memorandum of Understanding for the three (3) projects, as listed in the Memorandum;**
- 2. Authorises the Chief Executive Officer and Shire President to engross the document;**
- 3. Includes those 3 listed projects that have a capital expenditure into the Long-Term Financial Plan;**
- 4. Instructs the Chief Executive Officer to incorporate operation project costs into the 2024/2025 budget deliberations.**

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

**Against:            Nil**

**Carried 7/0**

**Chief Executive Officer’s Recruitment and Performance Review Committee Meeting held on 20 February 2024**

*Kenn Donohoe, Chief Executive Officer disclosed a direct financial interest in Item CP.10 (detailed in Item 5.2).*

*At 3:31 pm, Chief Executive Officer and staff left meeting.*

**CP.10 Chief Executive Officer's 2023/24 Performance Review Process**

<b>File Reference</b>	PE.23
<b>Applicant or Proponent(s)</b>	Not Applicable
<b>Author</b>	A Heraty, Manager Organisational Development
<b>Authorising Officer</b>	I Bishop, Deputy Chief Executive Officer
<b>Previous Meeting Reference</b>	Ordinary Council Meeting 11 July 2023 - Item 7.1 – 141/2023
<b>Disclosure(s) of interest</b>	Author – Nil
	Authorising Officer – Nil
<b>Attachments</b>	1. CEO KPI's 2023/24

***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)(a) of the Local Government Act 1995 as the subject matter relates to:</i>
<b>Sub-clause and Reason:</b>	<i>“s.5.23(2)(a) a matter affecting an employee or employees.”</i>

**Report Purpose**

Council is required to endorse the 2023/24 timing and process for the Chief Executive Officer’s end of year performance review.

**Council Decision**                    **041/2024**

**Moved**                                    **Cr K White**

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

**That with respect to the Chief Executive Officer’s 2023/24 Performance Review Process, the Chief Executive Officer’s Recruitment and Performance Review Committee recommends that Council, endorses the timing and process as detailed in this report.**

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

**Against:**            **Nil**

**Carried 7/0**

**Procedural Motion****Moved** Cr M Lynch**Seconded** Cr R De Pledge**That Council re-open the meeting to the public at 3:33pm.****For:** A Smith, K White, R De Pledge, L Rumble JP, A Sullivan, M Lynch and B Healy**Against:** Nil**Carried 7/0****19 Next Meeting**

The next Ordinary Council Meeting will be held at 2:00pm on Tuesday 19 March 2024 at Ashburton Hall, Ashburton Avenue, Paraboradoo.

**20 Closure Of Meeting**

There being no further business, the Presiding Member closed the meeting at 3:33pm.