

Ordinary Meeting of Council

Pannawonica



UNCONFIRMED MINUTES

19 September 2018

Mayu Maya Centre
Pannawonica
1.00pm



The Shire of Ashburton 10 year Strategic Community Plan (2017-2027) provides focus, direction and represents the hopes and aspirations of the Shire.

Our Vision

We will embrace our unique Pilbara environment and lifestyle through the development of vibrant, connected and active communities that have access to quality services, exceptional amenities and economic vitality.



STRATEGIC DIRECTIONS

1. Vibrant and Active Communities
2. Economic Prosperity
3. Unique Heritage and Environment
4. Quality Services and Infrastructure
5. Inspiring Governance



The Shire of Ashburton respectfully acknowledges the traditional custodians of this land.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**



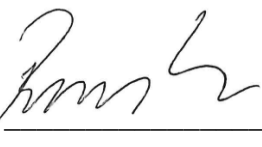
**SHIRE OF ASHBURTON
ORDINARY MEETING OF COUNCIL**

**MINUTES
Mayu Maya Centre, Pannawonica
19 September 2018**

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

**SHIRE OF ASHBURTON
ORDINARY MEETING OF COUNCIL**

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

CEO:  _____

Date: 28-09-2018

These minutes were confirmed by Council as a true and correct record of proceedings of the Ordinary Meeting of Council on the-19th of September 2018.

Presiding Member: _____

Date: _____

DISCLAIMER

The resolutions contained in the Minutes are subject to confirmation by Council. The Shire of Ashburton warns that anyone who has any 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 the Council in respect of the application. No responsibility whatsoever is implied or accepted by the Shire of Ashburton for any act, omission or statement or intimation occurring during a Council meeting.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

1.	DECLARATION OF OPENING.....	5
1.1	ACKNOWLEDGEMENT OF COUNTRY	5
2.	ANNOUNCEMENT OF VISITORS.....	5
3.	ATTENDANCE	5
3.1	PRESENT.....	5
3.2	APOLOGIES.....	5
3.3	APPROVED LEAVE OF ABSENCE.....	5
4.	QUESTION TIME	5
4.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	5
4.2	PUBLIC QUESTION TIME	6
5.	APPLICATIONS FOR LEAVE OF ABSENCE.....	6
6.	DECLARATION BY MEMBERS.....	6
6.1	DUE CONSIDERATION BY COUNCILLORS TO THE AGENDA	6
6.2	DECLARATIONS OF INTEREST.....	6
7.	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION	7
8.	PETITIONS / DEPUTATIONS / PRESENTATIONS.....	7
8.1	PETITIONS.....	7
8.2	DEPUTATIONS	7
8.3	PRESENTATIONS	8
9.	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	8
9.1	ORDINARY MEETING OF COUNCIL HELD ON 14 AUGUST 2018.....	8
9.2 – 9.5	AGENDA ITEMS ADOPTED 'EN BLOC' (ITEM 10).....	8
9.6	SHIRE OF ASHBURTON AUDIT AND RISK COMMITTEE MEETING HELD TO BE HELD ON 19 SEPTEMBER 2018	9
9.6.1	REGULATION 17 - RISK AUDIT PROGRESS REPORT SEPTEMBER 2018.....	9
9.6.2	CORPORATE BUSINESS PLAN - QUARTERLY PROGRESS REPORT	10
9.6.3	WESTERN AUSTRALIA NATURAL DISASTER RELIEF AND RECOVERY ARRANGEMENTS (WANDRRA) CASH FLOW THRESHOLDS - PROGRESS REPORT	10
9.6.4	CONFIDENTIAL ITEM - UPDATE ON WITTENOOM LITIGATION AND APPOINTMENT OF DELEGATE ON THE WITTENOOM STEERING COMMITTEE ..	11
9.6.5	CONFIDENTIAL ITEM - SAFETY, RISK AND COMPLIANCE REPORT, SHIRE OF ASHBURTON	11
9.6.6	CONFIDENTIAL ITEM - SAFETY, RISK AND COMPLIANCE REPORT, SHIRE OF ASHBURTON	12
9.7	SHIRE OF ASHBURTON PARABURDOO COMMUNITY HUB (CHUB) COMMITTEE MEETING TO BE HELD ON 19 SEPTEMBER 2018	12

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

9.7.1	PARABURDOO COMMUNITY HUB PROJECT UPDATE SEPTEMBER 2018	13
10.	AGENDA ITEMS ADOPTED "EN BLOC"	14
10.1	AGENDA ITEMS ADOPTED 'EN BLOC'	14
11.	OFFICE OF THE CEO REPORTS	16
11.1	PROGRESS OF IMPLEMENTATION OF COUNCIL DECISIONS STATUS REPORT FOR AUGUST 2018	16
11.2	USE OF COMMON SEAL AND ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTH OF AUGUST 2018.....	18
12.	CORPORATE SERVICES REPORTS	20
12.1	MONTHLY FINANCIALS AND SCHEDULE OF ACCOUNTS PAID.....	20
13.	PROPERTY AND DEVELOPMENT SERVICES REPORTS	32
13.1	NAMING OF THE PILBARA REGIONAL WASTE MANAGEMENT FACILITY ACCESS ROAD	32
14.	COMMUNITY SERVICES REPORTS	36
15.	INFRASTRUCTURE SERVICES REPORTS	36
15.1	AMENDMENT TO FEES AND CHARGES	36
15.2	INFRASTRUCTURE CAPITAL WORKS - FIRST QUARTER REPORTING/REVIEW 2018/19.....	40
15.3	STORMWATER DRAINAGE - ASSET MANAGEMENT AND REALLOCATION 2018/19 BUDGET FUNDS TO JET CLEAN THE BLOCKED URBAN STORMWATER PIPES NETWORK AND STORMWATER MODELLING	43
15.4	RFQ 51.18 - SUPPLY AND DELIVERY OF A 13 - 27 TONNE MULTI TYRE PNEUMATIC ROLLER	48
16.	COUNCILLOR AGENDA ITEMS / NOTICES OF MOTIONS	52
16.1	NOTICE OF MOTION – CONCERNS RELATING TO THE NBN ROLLOUT ACROSS PARABURDOO AND TOM PRICE	52
17.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	53
17.1	CONCESSION ON CERTAIN RATES IN ONSLOW	54
18.	CONFIDENTIAL MATTERS	58
18.1	CONFIDENTIAL – FUTURE OF THE PILBARA REGIONAL COUNCIL	59
18.2	CONFIDENTIAL ITEM - APPOINTMENT OF DIRECTOR PROPERTY AND DEVELOPMENT SERVICES	62
19.	NEXT MEETING	63
20.	CLOSURE OF MEETING	63

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

1. DECLARATION OF OPENING

The Presiding Member declared the meeting open at 1.01 pm.

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 both past and present.

2. ANNOUNCEMENT OF VISITORS

There were no members of the public in the gallery for this meeting.

3. ATTENDANCE

3.1 PRESENT

Elected Members:	Cr K White Cr L Rumble Cr P Foster Cr M Lynch Cr L Thomas Cr R de Pledge Cr M Gallanagh	Shire President, (Presiding Member) Onslow Ward Deputy Shire President, Paraburdoo Ward Tom Price Ward Tom Price Ward Tableland Ward Ashburton Ward Pannawonica Ward
	Mr R Paull Mr J Bingham Mrs S Johnston Ms C Bryce Mr I Hamilton Ms J Smith Mrs D Walkington	Chief Executive Officer Director Corporate Services Acting Director Community Services Acting Director Property and Development Services Director Infrastructure Services Executive Officer Administration Officer
Guests:	Nil	
Members of Public:	There were no members of the public in attendance at the commencement of the meeting.	
Members of Media:	There were no members of the media in attendance at the commencement of the meeting.	

3.2 APOLOGIES

There were no apologies for this meeting.

3.3 APPROVED LEAVE OF ABSENCE

Cr D Dias Paraburdoo Ward
Cr D Diver Tom Price Ward

4. QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

4.2 PUBLIC QUESTION TIME

There were no questions from the public.

5. APPLICATIONS FOR LEAVE OF ABSENCE

There were no applications received for leave of absence.

6. DECLARATION BY MEMBERS

6.1 DUE CONSIDERATION BY COUNCILLORS TO THE AGENDA

Councillors are requested to give due consideration to all matters contained in the Agenda presently before the meeting.

6.2 DECLARATIONS OF INTEREST

Councillors to Note

A member who has an Impartiality, Proximity or Financial Interest in any matter to be discussed at a Council or Committee Meeting, that will be attended by the member, must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting or;
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (a) Preside at the part of the Meeting, relating to the matter or;
- (b) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the *Local Government Act 1995*.

NOTES ON DECLARING INTERESTS (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have an interest in a matter.

These notes are included in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
 - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the *Local Government Act*; or
 - 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the *Local Government Act*, with or without conditions.

Declarations of Interest provided:

Item Number/ Name	Type of Interest	Nature/Extent of Interest
12.1 MONTHLY FINANCIALS AND SCHEDULE OF ACCOUNTS PAID		
Mr Rob Paull	Indirect Financial	The nature of my interest is that my spouse is employed by Muzzy's Hardware in Tom Price and the extent of my interest is that my spouse is earning an income from Muzzy's Hardware Tom Price.
17.1 CONCESSION ON CERTAIN RATES IN ONSLOW		
Cr White	Financial Interest	The nature of my interest is direct financial. The extent of my interest is rate payer for three properties in Onslow.

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

The Presiding Member expressed her condolences on the passing of Onslow resident Mr Daryl Chegwidan.

8. PETITIONS / DEPUTATIONS / PRESENTATIONS

8.1 PETITIONS

There were no petitions presented to Council.

8.2 DEPUTATIONS

There were no deputations presented to Council.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

8.3 PRESENTATIONS

There were no presentations to Council.

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.1 ORDINARY MEETING OF COUNCIL HELD ON 14 AUGUST 2018

Officer Recommendation and Council Decision

MOVED: Cr P Foster

SECONDED: Cr M Lynch

That the Unconfirmed Minutes of the Ordinary Meeting of Council held on 14 August 2018, as previously circulated on 22 August 2018 (ATTACHMENT 9.1) be confirmed as a true and accurate record.

CARRIED 7/0

Councillors White, Rumble, Foster, Lynch, Gallanagh, de Pledge and Thomas voted for the motion

9.2 – 9.5 AGENDA ITEMS ADOPTED 'EN BLOC' (ITEM 10)

9.2 UNENDORSED/UNCONFIRMED MINUTES FOR THE PILBARA REGIONAL COUNCIL, SPECIAL COUNCIL MEETING HELD 8 AUGUST 2018 (ATTACHMENT 9.2)

That the Unconfirmed/Unendorsed Minutes for the Pilbara Regional Council, Special Meeting of Council held 8 August 2018 via Teleconference (ATTACHMENT 9.2) be received.

9.3 MINUTES OF THE SHIRE OF ASHBURTON INLAND LOCAL EMERGENCY MANAGEMENT COMMITTEE HELD ON 24 AUGUST 2018 (ATTACHMENT 9.3)

That the Minutes of the Shire of Ashburton Inland Local Emergency Management Committee held on 24 August 2018 at the Tom Price Volunteer Bush Fire Brigade (ATTACHMENT 9.3) be received.

9.4 MINUTES OF THE KARIJINI EMERGENCY MANAGEMENT MEETING PILBARA REGION HELD ON 15 AUGUST 2018 (ATTACHMENT 9.4)

That the Minutes of the Karijini Emergency Management Meeting Pilbara Region held on 15 August 2018 at the Karijini Office, (Attachment 9.4) be received.

9.5 MINUTES OF THE WALGA ANNUAL GENERAL MEETING HELD ON 1 AUGUST 2018 (ATTACHMENT 9.5)

That Minutes of the WALGA Annual General Meeting held on 1 August 2018 at the Perth Convention Exhibition Centre, Perth (Attachment 9.5) be received.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

**9.6 SHIRE OF ASHBURTON AUDIT AND RISK COMMITTEE MEETING
HELD TO BE HELD ON 19 SEPTEMBER 2018**

Committee Recommendation and Council Decision

MOVED: Cr P Foster

SECONDED: Cr M Lynch

That the Minutes of the Shire of Ashburton Audit and Risk Committee Meeting held on 19 September 2018 at Mayu Maya Centre, Pannawonica be received (Minutes provided under separate cover).

CARRIED 7/0

Councillors White, Rumble, Foster, Lynch, Gallanagh, de Pledge and Thomas voted for the motion

**9.6.1 REGULATION 17 - RISK AUDIT PROGRESS REPORT SEPTEMBER
2018**

Committee Recommendation and Council Decision

MOVED: Cr L Rumble

SECONDED: Cr P Foster

That the Audit and Risk Committee with respect to *Review of Risk Management, Legislative Compliance and Internal Controls* recommend Council to:

- 1. Note the updated Chief Executive Officer (CEO)'s Report (as per ATTACHMENT 7.1) which describes how the suggested improvements/opportunities will be implemented, including actions completed.**
- 2. Request the CEO to use all reasonable endeavours to address and complete all actions by December 2018.**

CARRIED 7/0

Councillors White, Rumble, Foster, Lynch, Gallanagh, de Pledge and Thomas voted for the motion

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

9.6.2 CORPORATE BUSINESS PLAN - QUARTERLY PROGRESS REPORT

Committee Recommendation and Council Decision

MOVED: Cr P Foster

SECONDED: Cr L Rumble

That the Audit and Risk Committee with respect to *Corporate Business Plan – Quarterly Progress Report* recommend Council:

1. Accept the first quarterly report of the Shire of Ashburton Corporate Business Plan 2018 - 2022; and
2. Request the Chief Executive Officer to continue providing *Corporate Business Plan – Quarterly Progress Reports*, with the next report being made available to the December 2018 Audit and Risk Committee.

CARRIED 7/0

Councillors White, Rumble, Foster, Lynch, Gallanagh, de Pledge and Thomas voted for the motion

9.6.3 WESTERN AUSTRALIA NATURAL DISASTER RELIEF AND RECOVERY ARRANGEMENTS (WANDRRA) CASH FLOW THRESHOLDS - PROGRESS REPORT

Committee Recommendation and Council Decision

MOVED: Cr P Foster

SECONDED: Cr M Lynch

That with respect to *WANDRRA Cash Flow Thresholds – Progress Report* the Audit and Risk Committee recommend Council:

1. Receive the WANDRRA AGRN 743 report of the Shire of Ashburton; and
2. Request the Chief Executive Officer to report any delays in recoup approval of more than 12 weeks to the Audit and Risk Committee.

CARRIED 7/0

Councillors White, Rumble, Foster, Lynch, Gallanagh, de Pledge and Thomas voted for the motion

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

9.6.4 CONFIDENTIAL ITEM - UPDATE ON WITTENOOM LITIGATION AND APPOINTMENT OF DELEGATE ON THE WITTENOOM STEERING COMMITTEE

Committee Recommendation and Council Decision

MOVED: Cr P Foster

SECONDED: Cr M Gallanagh

That the Audit and Risk Committee with respect to *Confidential Item – Update on Wittenoom Litigation and Appointment of Delegate on the Wittenoom Steering Committee* recommend Council:

- 1. Receive the *Confidential Item – Update on Wittenoom Litigation and Appointment of Delegate on the Wittenoom Steering Council* report and remain confidential in accordance s5.23 (2)(b) & (d) of the *Local Government Act 1995*;**
- 2. Request Shire management continue to provide Wittenoom Litigation progress reports to the Audit and Risk Committee; and**
- 3. Appoint the Chief Executive Officer as the delegate on the Department of Planning, Lands and Heritage’s Wittenoom Steering Committee.**

CARRIED 7/0

Councillors White, Rumble, Foster, Lynch, Gallanagh, de Pledge and Thomas voted for the motion

9.6.5 CONFIDENTIAL ITEM - SAFETY, RISK AND COMPLIANCE REPORT, SHIRE OF ASHBURTON

Committee Recommendation and Council Decision

**MOVED: Cr P Foster
Gallanagh**

SECONDED: Cr M

That the Audit and Risk Committee with respect to *Confidential Item - Safety, Risk and Compliance Report, Shire of Ashburton* recommend Council:

- 1. Receive *Confidential Item - Safety, Risk and Compliance Report, Shire of Ashburton* report and remain confidential in accordance s5.23 (2)(b) & (d) of the *Local Government Act 1995*.**

CARRIED 7/0

Councillors White, Rumble, Foster, Lynch, Gallanagh, de Pledge and Thomas voted for the motion

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

**9.6.6 CONFIDENTIAL ITEM - SAFETY, RISK AND COMPLIANCE REPORT,
SHIRE OF ASHBURTON**

Committee Recommendation and Council Decision

MOVED: Cr P Foster

SECONDED: Cr L Rumble

That the Audit and Risk Committee with respect to *Confidential Item – Onslow Airport Landing Fees* recommend to Council without prejudice, and after full consideration of all available facts and legal advice, that Council not seek to pursue reimbursement of any potential outstanding landing fees from Chevron at the Onslow Airport prior to 1 September 2017.

CARRIED 7/0

Councillors White, Rumble, Foster, Lynch, Gallanagh, de Pledge and Thomas voted for the motion

**9.7 SHIRE OF ASHBURTON PARABURDOO COMMUNITY HUB (CHUB)
COMMITTEE MEETING TO BE HELD ON 19 SEPTEMBER 2018**

Committee Recommendation and Council Decision

MOVED: Cr L Rumble

SECONDED: Cr M Lynch

That the Minutes of the Shire of Ashburton Paraburdoo Community Hub (CHUB) Committee Meeting held on 19 September 2018 at Mayu Maya Centre, Pannawonica be received (Minutes provided under separate cover).

CARRIED 7/0

Councillors White, Rumble, Foster, Lynch, Gallanagh, de Pledge and Thomas voted for the motion

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

9.7.1 PARABURDOO COMMUNITY HUB PROJECT UPDATE SEPTEMBER 2018

Committee Recommendation and Council Decision

MOVED: Cr L Rumble

SECONDED: Cr M Lynch

That the Paraburdo Community Hub (CHUB) Committee recommend to Council that with respect to the *Paraburdo Community Hub Project Update September 2018*, that Council

- 1. Approves the revised upgrade of the Clubroom and Clubroom Kitchen as provided in ATTACHMENT 7.1 and along with the variation of \$400,000.00.**
- 2. Approves the following variation requests in regard to RFT 17/17 Construction of Paraburdo Community Hub as proved in ATTACHMENT 7.1A.**

**CARRIED BY ABSOLUTE MAJORITY 7/0
Councillors White, Rumble, Foster, Lynch, Gallanagh, de Pledge and
Thomas voted for the motion**

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

10. AGENDA ITEMS ADOPTED "EN BLOC"

10.1 AGENDA ITEMS ADOPTED 'EN BLOC'

The following information is provided to Councillors for guidance on the use of En Bloc voting as is permissible under the Shire of Ashburton Standing Orders Local Law 2012:

"Part 5 – Business of a meeting

Clause 5.6 Adoption by exception resolution:

- (1) In this clause 'adoption by exception resolution' means a resolution of the Council that has the effect of adopting, for a number of specifically identified reports, the officer recommendation as the Council resolution.*
- (2) Subject to subclause (3), the Local Government may pass an adoption by exception resolution.*
- (3) An adoption by exception resolution may not be used for a matter;*
 - (a) that requires a 75% majority or a special majority;*
 - (b) in which an interest has been disclosed;*
 - (c) that has been the subject of a petition or deputation;*
 - (d) that is a matter on which a Member wishes to make a statement; or*
 - (e) that is a matter on which a Member wishes to move a motion that is different to the recommendation."*

Council Decision

MOVED: Cr P Foster

SECONDED: Cr M Lynch

That Council adopts en bloc the following officer recommendations contained in the Agenda for the Ordinary Meeting of Council 19 September 2018.

9.2 UNENDORSED/UNCONFIRMED MINUTES FOR THE PILBARA REGIONAL COUNCIL, SPECIAL COUNCIL MEETING HELD 8 AUGUST 2018 (ATTACHMENT 9.2)

That the Unconfirmed/Unendorsed Minutes for the Pilbara Regional Council, Special Meeting of Council held 8 August 2018 via Teleconference (ATTACHMENT 9.2) be received.

9.3 MINUTES OF THE SHIRE OF ASHBURTON INLAND LOCAL EMERGENCY MANAGEMENT COMMITTEE HELD ON 24 AUGUST 2018 (ATTACHMENT 9.3)

That the Minutes of the Shire of Ashburton Inland Local Emergency Management Committee held on 24 August 2018 at the Tom Price Volunteer Bush Fire Brigade (ATTACHMENT 9.3) be received.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

9.4 MINUTES OF THE KARIJINI EMERGENCY MANAGEMENT MEETING PILBARA REGION HELD ON 15 AUGUST 2018 (ATTACHMENT 9.4)

That the Minutes of the Karijini Emergency Management Meeting Pilbara Region held on 15 August 2018 at the Karijini Office, (Attachment 9.4) be received.

9.5 MINUTES OF THE WALGA ANNUAL GENERAL MEETING HELD ON 1 AUGUST 2018 (ATTACHMENT 9.5)

That Minutes of the WALGA Annual General Meeting held on 1 August 2018 at the Perth Convention Exhibition Centre, Perth (Attachment 9.5) be received.

CARRIED 7/0
Councillors White, Rumble, Foster, Lynch, Gallanagh, de Pledge and Thomas
voted for the motion

UNCONFIRMED MINUTES

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

11. OFFICE OF THE CEO REPORTS

**11.1 PROGRESS OF IMPLEMENTATION OF COUNCIL DECISIONS
STATUS REPORT FOR AUGUST 2018**

MINUTE: 421/2018

FILE REFERENCE:	GV04
AUTHOR'S NAME AND POSITION:	Michelle Lewis CEO & Councillor Support Officer
AUTHORISING OFFICER AND POSITION:	Rob Paull Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	28 August 2018
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Agenda Item 11.1 (Minute No. 411/2018) – Ordinary Meeting of Council 14 August 2018

Summary

The purpose of this agenda item is to report back to Council on the progress of the implementation of Council decisions.

Background

The best practice in governance supports the regular review of Council decisions to ensure that they are actioned and implemented in a timely manner.

Comment

Wherever possible, Council decisions are implemented as soon as practicable after a Council meeting. However, there are projects or circumstances that mean some decisions take longer to action than others.

This report presents a summary of the "Decision Status Reports" for Office of the CEO, Corporate Services, Infrastructure Services, Strategic and Community Development and Development & Regulatory Services.

ATTACHMENT 11.1

Consultation

Executive Management Team

Statutory Environment

Section 2.7 of the *Local Government Act 1995* states:

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

“Role of council

- (1) *The council —*
(a) governs the local government’s affairs; and
(b) is responsible for the performance of the local government’s functions.
- (2) *Without limiting subsection (1), the council is to —*
(a) oversee the allocation of the local government’s finances and resources; and
(b) determine the local government’s policies.”

The above section of the Act notwithstanding, there is no specific legal requirement to present such a report to Council or for Council to receive or consider such a report. Given it is always ‘received’, it could simply be provided to elected members via weekly or monthly updates, such as in the weekly Information Bulletin. The decision to retain the report in the Council’s monthly agenda is entirely Council’s prerogative. Staff acknowledge the critical and ongoing nature of the document, in that Council ‘speaks by resolution’.

Financial Implications

There are no known financial implications for this matter.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027

Goal 5 – Inspiring Governance

Objective 4 – Exemplary Team and Work Environment

Risk Management

This item has been evaluated against the Shire of Ashburton’s Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be “Low” risk and can be managed by routine procedures, and is unlikely to need specific application of resources.

Policy Implications

There are no known policy implications for this matter.

Voting Requirement

Simple Majority Required

Officers Recommendation and Council Decision

MOVED: Cr R de Pledge

SECONDED: Cr M Gallanagh

That Council receive the “Council Decisions Status Reports” for the month of August 2018 as per ATTACHMENT 11.1.

CARRIED 7/0
Councillors White, Rumble, Foster, Lynch, Gallanagh, de Pledge and Thomas
voted for the motion

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

**11.2 USE OF COMMON SEAL AND ACTIONS PERFORMED UNDER
DELEGATED AUTHORITY FOR THE MONTH OF AUGUST 2018**

MINUTE: 422/2018

FILE REFERENCE:	GV21 CM02
AUTHOR'S NAME AND POSITION:	Janyce Smith Executive Officer Brooke Beswick Administration Assistant Planning
AUTHORISING OFFICER AND POSITION:	Rob Paul Chief Executive Officer
NAME OF APPLICANT/ RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	28 August 2018
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

The purpose of this agenda item is to report to Council for information, use of the Common Seal, actions performed under delegated authority requiring referral to Council and a copy of the Tender Register, for the month of August 2018.

Background

Council has historically sought a monthly update of the more significant activities for the organisation relative to (1) use of the Common Seal, and (2) actions performed under delegated authority requiring referral to Council as per the Shire of Ashburton Delegated Authority Register 2018.

Comment

A report on use of the Common Seal, relevant actions performed under delegated authority and the Tender Register has been prepared for Council.

**ATTACHMENT 11.2A
ATTACHMENT 11.2B**

Consultation

Relevant officers as listed in the Attachment.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

Statutory Environment

Local Government Act 1995

Clause 9.3 of the Shire of Ashburton Town Planning Scheme No. 7

Delegated Authority Register

Financial Implications

There are no known financial implications for this matter.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027

Goal 5 – Inspiring Governance

Objective 4 – Exemplary Team and Work Environment

Risk Management

This item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be "Low" in light of the report being for information purposes only and the risk and can be managed by routine procedures, and is unlikely to need specific application of resources.

Policy Implications

ELM 13 – Affixing the Shire of Ashburton Common Seal

FIN12 – Purchasing and Tendering Policy

Voting Requirement

Simple Majority Required

Officers Recommendation and Council Decision

MOVED: Cr P Foster

SECONDED: Cr M Lynch

That Council receive the reports relating to:

- 1. The use of the Common Seal as per ATTACHMENT 11.2A; and**
- 2. Actions performed under delegated authority for the month as per ATTACHMENT 11.2A; and**
- 3. The Tender Register as per ATTACHMENT 11.2B.**

CARRIED 7/0
Councillors White, Rumble, Foster, Lynch, Gallanagh, de Pledge and Thomas voted for the motion

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

12. CORPORATE SERVICES REPORTS

12.1 MONTHLY FINANCIALS AND SCHEDULE OF ACCOUNTS PAID

Declaration of Interest

Prior to consideration of this Agenda Item

Rob Paull declared an indirect financial interest

See item 6.2 for details of the interest declared.

RECORDED ON REGISTER GV07

MINUTE: 423/2018

FILE REFERENCE:	FM03
AUTHOR'S NAME AND POSITION:	Kerry Fisher Finance Manager
AUTHORISING OFFICER AND POSITION:	John Bingham Director Corporate Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	3 September 2018
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial, proximity or impartiality interests in the proposal. However, the Chief Executive Officer has an indirect financial interest due to his spouse being employed and receiving an income from 'Muzzy's Hardware (Tom Price).
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

In accordance with *Regulation 34 of the Local Government (Financial Management) Regulations*, the Shire is to prepare a monthly Statement of Financial Activity for consideration by Council.

The Financial Reports for August 2018 are presented with comments on variances for Actuals to 2018/19 Budget amounts. A Capex Tracker is also presented.

Background

Regulation 34 of the Local Government (Financial Management) Regulations requires the Shire to prepare a monthly statement of Financial Activity for Consideration by Council.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

Comment

Council adopted the 2018/19 Budget on 26 July 2018. Following this rates schedules and notices as well as service charges (Pilbara Underground Power Project) were issued via post and email on 8 August 2018. As at 31 August 2018 approximately \$7.5M in receipts have been received. As a result the availability of investment funds has increased with term deposits now established at the ANZ, Commonwealth and Bendigo & Adelaide Banks. The Cash and Investment note provides a schedule of amounts invested.

Finance staff are currently preparing the 2017/18 Financial Statements – Moore Stephens, the Shires auditors are due for an onsite visit on Tuesday 30 October 2018. As part of the Statements preparation revaluation of the Shire's Infrastructure Assets has been undertaken as required by section *Local Government (Financial Management) Regulation 17A (2)*. As part of the process depreciation expense will not be posted to the 2018/19 accounts until completion of the annual audit.

Capital works are underway for 2018/19 with progress being made on roads (e.g. WANDRRA) and CHUB. A 2018/19 Capex Tracker is now available as part of Monthly Reports.

Projects for 2018/19 include the resurfacing of the Tom Price Netball Courts which were completed during the July 2018 school holidays. The total budgeted allocation for the re-surface and new goal posts was \$147,000 and with final costs of \$90,292 the project was under-budget by \$56,708. Players in the Tom Price Netball Association have enjoyed playing on the new courts especially as part of the recently completed finals. Pictures and Facebook postings are attached.

ATTACHMENT 12.1F

GL/Job No.	General Ledger Description	Current Budget	Variation Amount	Revised Budget	Reason
19026	Onslow Photocopier Visitors Centre	30,000	(10,350)	19,650	New Capex Request form submitted for 18/19 Budget discussions overestimated the provision required.
15230	Onslow Oval Playground Equipment	313,000	9,000	322,000	The extra provision is for an upgrade to synthetic turf with a view to reducing ongoing maintenance costs.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

GL/Job No.	General Ledger Description	Current Budget	Variation Amount	Revised Budget	Reason
19084	Paraburdoo Information Bay – Driveway Entry	0	1,350	1,350	Whilst original scope of work was complete at the Information Bay, local Councillors requested the driveway be modified to improve ease of access for vehicles – the work has subsequently been undertaken.
EV62	Australia Day Celebrations	8,000	(8,000)	0	Activity not proceeding this year.
EV70	Community Concerts	22,000	(2,000)	20,000	Activity and provision reviewed - no longer required a current level.
EV74	School Holidays Activities	20,000	(10,000)	10,000	Activity and provision reviewed - no longer required at current level.
EV91	Miscellaneous WTO Activities	15,965	(3,909)	12,056	Activity and provision reviewed - no longer required at current level.
EV69	Christmas Celebrations	17,000	1,500	18,500	Activity and provision reviewed – increase required to current level.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

GL/Job No.	General Ledger Description	Current Budget	Variation Amount	Revised Budget	Reason
EV81	Onslow Keepers	8,000	1,000	9,000	Activity and provision reviewed – increase required to current level.
EV87	Cultural Community Development	20,000	10,000	30,000	Activity and provision reviewed – increase required to current level.
NEW	Paraburdoo Information Bay – Utilities	0	3,500	3,500	Operational costs associated with the project were not considered when budget discussions took place.
NEW	Paraburdoo Information Bay – Maintenance	0	2,909	2,909	Operational costs associated with the project were not considered when budget discussions took place.
NEW	Paraburdoo Information Bay – Works	0	5,000	5,000	Operational costs associated with the project were not considered when budget discussions took place.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

GL/Job No.	General Ledger Description	Current Budget	Variation Amount	Revised Budget	Reason
18025	Tom Price Netball and Basketball Courts resurface	110,000	(27,500)	82,500	Project completed under budget allowing reallocation of funds.
17006	Paraburdoo Shopping Mall Carpark – Additional Shade Structure	50,231	20,000	70,231	Increased structure costs due to a change of design i.e. multiple central support columns.
18042	Electronic Variable Message Signs	18,813	7,500	26,313	Original purchase price of the signs is higher than forecast due primarily to freight charges to Tom Price.
FD100	Project Management - WANDRRA	0	260,000	260,000	This is a re-allocated provision to a new dedicated job number to facilitate project management costs are more efficiently recorded and reported.
FD101	WANDRRA - AGRN 743	9,547,313	(197,600)	9,349,713	Re-allocation of works program to create dedicated job number for project management costs.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

GL/Job No.	General Ledger Description	Current Budget	Variation Amount	Revised Budget	Reason
FD125	WANDRRA – AGRN 781	10,195,936	(62,400)	10,133,536	Re-allocation of works program to create dedicated job number for project management costs.
19009	Depot Refurbishment	500,000	(38,820)	467,180	This is a re-allocated provision to a new dedicated job number to facilitate fencing renewal project costs are more efficiently recorded and reported.
18045	Depot fencing Renewal	0	32,820	32,820	This is a re-allocated provision to a new dedicated job number to facilitate fencing renewal project costs are more efficiently recorded and reported.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

GL/Job No.	General Ledger Description	Current Budget	Variation Amount	Revised Budget	Reason
GI18	Roadworks for Pannawonica Millstream Road (RRG funded)	(485,000)	39,555	(445,445)	Reduced grant funding confirmed by MRWA on 28 August due to 'slight discrepancy between the indicative amounts and what has actually been approved'.
GI20	Roadworks for Ashburton Downs Meekathara Road (RRG funded)	(485,000)	39,555	(445,445)	Reduced grant funding confirmed by MRWA on 28 August due to 'slight discrepancy between the indicative amounts and what has actually been approved'.
19059	Roadworks for Pannawonica Millstream Road (RRG funded)	727,300	(39,555)	687,745	Reduced program works due to reduction in grant funding as above.
19061	Roadworks for Ashburton Downs Meekathara Road (RRG funded)	727,300	(39,555)	687,745	Reduced program works due to reduction in grant funding as above.

Consultation

Executive Management Team
Finance Team

Statutory Environment

Section 6.4 Local Government Act 1995, Part 6 – Financial Management, and regulation 34 Local Government (Finance Management) Regulation 1996.

The Local Government Act 1995 Part 6 Division 4 s 6.8 (1) requires the local government not to incur expenditure from its Municipal Fund for an additional purpose except where the expenditure –

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

(b) Is authorised in advance by resolution*

“Additional purpose” means a purpose for which no expenditure estimate is included in the local government’s annual budget.

*requires an absolute majority of Council.

Financial Implications

Financial implications and performance to budget are reported to Council on a monthly basis.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027

Goal 5 – Inspiring Governance

Objective 4 – Exemplary Team and Work Environment

Risk Management

This item has been evaluated against the Shire of Ashburton’s Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered “Low” risk and can be managed by routine procedures, and is unlikely to need specific application of resources.

The predominant strategic financial risk that the Council still faces is the pending formal objections to the valuation on the Wheatstone Plant and Barrow Island Plant. The formal objection to the Wheatstone plant refers to 2016/17 and 2017/18 valuations whilst the Barrow Island objection was made in November 2017. Wheatstone is Assessment No. A51628 and has an Unimproved Valuation (UV) of \$17,593,500 with rates levied for 2017/18 of \$6,728,933. Barrow Island is Assessment No. A6413 and has a UV of \$13,808,000 with rates levied for 2017/18 of \$5,281,104.

In Chevron’s objection their submitted opinion as to the correct UV’s for the two properties are: (i) Wheatstone \$6,572,500; and (ii) Barrow Island \$2,612,500. An objection has been lodged with the State Administrative Tribunal (SAT) with the full hearing to be held on 25 and 26 September 2018. Should the decision be unfavourable to Council the maximum quantum of liability will be around \$17.5M based on the abovementioned.

To help mitigate the risk with this formal objection Council retains a cash backed Financial Risk Reserve (FRR) with a forecast balance at the end of the financial year (subject to no adverse appeals) of \$12.5M. It should be noted the difference between the maximum quantum of liability and budgeted balance held in the FRR is due in part to the less than likely outcome that Chevron’s submitted opinion will be fully instigated. In other words should the SAT ruling be unfavourable it is probable the re-valuations for each property will ‘land’ somewhere in the middle of VGO and Chevron figures.

Also as to the difference between the maximum quantum of liability and budgeted balance held in the FRR, limitations apply to annual reserve transfers from Municipal funds beyond those currently budgeted for i.e. more than 2018/19 budgeted \$6M. A transfer of funds upwards of \$6M would further restrict, beyond current levels, the amount of municipal funds available for Council to implement its Long Term Financial Plan.

This major risk is categorised as potentially *extreme* on the Council’s adopted risk management framework and thresholds due to the potential risk being greater than \$5M of current year and a comparable amount to future revenues.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

Policy Implications

There are no policy implications for this matter.

Voting Requirement

Absolute Majority Required

Officers Recommendation

That with respect to the Monthly Financial Report, that Council:

1. Receive the Financial Report for August 2018 ATTACHMENT 12.1A; and
2. Approve budget variations for the 2018/19 Budget as outlined below:
 - a) Decrease Expenditure Account 19026, Onslow Photocopier Visitors Centre by \$10,350, from \$30,000 to \$19,650;
 - b) Increase Expenditure Account GL 15230, Onslow Oval Playground Equipment by \$9,000, from \$313,000 to \$322,000;
 - c) Increase Expenditure Account 19084, Paraburdoo Information Bay – Driveway Entry by \$1,350, from \$0 to \$1,350;
 - d) Decrease Expenditure Account EV62, Australia Day Celebrations by \$8,000, from \$8,000 to \$0;
 - e) Decrease Expenditure Account EV70, Community Concerts by \$2,000, from \$22,000 to \$20,000;
 - f) Decrease Expenditure Account EV74, School Holidays Program by \$10,000, from \$20,000 to \$10,000;
 - g) Decrease Expenditure Account EV91, Miscellaneous WTO Activities by \$3,909, from \$15,965 to \$12,056;
 - h) Increase Expenditure Account EV69, Christmas Celebrations by \$1,500, from \$17,000 to \$1,850;
 - i) Increase Expenditure Account EV81, Onslow Keepers by \$1,000, from \$8,000 to \$9,000;
 - j) Increase Expenditure Account EV87, Cultural Community Development by \$10,000, from \$20,000 to \$30,000;
 - k) Increase a new Expenditure Account for Paraburdoo Information Bay Utilities by \$3,500, from \$0 to \$3,500;
 - l) Increase a new Expenditure Account for Paraburdoo Information Bay Maintenance by \$2,909 from \$0 to \$2,909;
 - m) Increase a new Expenditure Account for Paraburdoo Information Bay Works by \$5,000, from \$0 to \$5,000;
 - n) Decrease Expenditure Account 18025, Tom Price Netball and Basketball Courts Re-surface by \$27,500, from \$110,000 to \$82,500;
 - o) Increase Expenditure Account 17006, Paraburdoo Shopping Mall Carpark – Additional Shade Structure by \$20,000, from \$50,231 to \$70,231;
 - p) Increase Expenditure Account 18042, Electronic Variable Message Signs by \$7,500, from \$18,813 to \$26,313;
 - q) Increase Expenditure Account FD100, Project Management WANDRRA by \$260,000, from \$0 to \$260,000;
 - r) Decrease Expenditure Account FD101, WANDRRA AGRN746 by \$197,600, from \$9,547,313 to \$9,349,713;

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

- s) Decrease Expenditure Account FD125, WANDRRA AGRN781 by \$62,400, from \$10,195,936 to \$10,133,536;
 - t) Decrease Expenditure Account 19009, Depot Refurbishment by \$38,820, from \$500,000 to \$467,180;
 - u) Increase Expenditure Account 18045, Depot fencing renewal by \$32,820, from \$0 to \$32,820;
 - v) Decrease Income Account GI18, Roadworks for Pannawonica Millstream Road (RRG Funded) by \$39,555, from \$485,000 to \$445,445;
 - w) Decrease Income Account GI20, Roadworks for Ashburton Downs Meekatharra Road (RRG Funded) by \$39,555, from \$485,000 to \$445,445;
 - x) Decrease Expenditure Account 19059, Roadworks for Pannawonica Millstream Road (RRG Funded) by \$39,555, from \$727,300 to \$687,745;
 - y) Decrease Expenditure Account 19061, Roadworks for Ashburton Downs Meekatharra Road (RRG Funded) by \$39,555, from \$727,300 to \$687,745; and
 - z) Note that the Budgeted Surplus position carried forward (Net Current Assets position) forecast as at 30 June 2019 is \$1,500,000
3. Receive the Capital Expenditures Progress Tracker for August 2018 ATTACHMENT 12.1B; and
 4. Receive the Schedule of Accounts and Credit Card payments made in August 2018 (approved by the Chief Executive Officer in accordance with delegation DA03-1 Payments from Municipal Fund and Trust Funds) ATTACHMENT 12.1C.

MOVED: Cr M Lynch

SECONDED: Cr L Rumble

That with respect to the Monthly Financial Report, that Council:

1. **Receive the Financial Report for August 2018 ATTACHMENT 12.1A; and**
2. **Approve budget variations for the 2018/19 Budget as outlined and modified below:**
 - a) **Decrease Expenditure Account 19026, Onslow Photocopier Visitors Centre by \$10,350, from \$30,000 to \$19,650;**
 - b) **Increase Expenditure Account GL 15230, Onslow Oval Playground Equipment by \$9,000, from \$313,000 to \$322,000;**
 - c) **Increase Expenditure Account 19084, Paraburdoo Information Bay – Driveway Entry by \$1,350, from \$0 to \$1,350;**
 - d) **Decrease Expenditure Account 18025, Tom Price Netball and Basketball Courts Re-surface by \$27,500, from \$110,000 to \$82,500;**
 - e) **Increase Expenditure Account 17006, Paraburdoo Shopping Mall Carpark – Additional Shade Structure by \$20,000, from \$50,231 to \$70,231;**
 - f) **Increase Expenditure Account 18042, Electronic Variable Message Signs by \$7,500, from \$18,813 to \$26,313;**
 - g) **Increase Expenditure Account FD100, Project Management WANDRRA by \$260,000, from \$0 to \$260,000;**
 - h) **Decrease Expenditure Account FD101, WANDRRA AGRN746 by \$197,600, from \$9,547,313 to \$9,349,713;**
 - i) **Decrease Expenditure Account FD125, WANDRRA AGRN781 by \$62,400, from \$10,195,936 to \$10,133,536;**
 - j) **Decrease Expenditure Account 19009, Depot Refurbishment by \$38,820, from \$500,000 to \$467,180;**

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

- k) Increase Expenditure Account 18045, Depot fencing renewal by \$32,820, from \$0 to \$32,820;
 - l) Decrease Income Account GI18, Roadworks for Pannawonica Millstream Road (RRG Funded) by \$39,555, from \$485,000 to \$445,445;
 - m) Decrease Income Account GI20, Roadworks for Ashburton Downs Meekatharra Road (RRG Funded) by \$39,555, from \$485,000 to \$445,445;
 - n) Decrease Expenditure Account 19059, Roadworks for Pannawonica Millstream Road (RRG Funded) by \$39,555, from \$727,300 to \$687,745;
 - o) Decrease Expenditure Account 19061, Roadworks for Ashburton Downs Meekatharra Road (RRG Funded) by \$39,555, from \$727,300 to \$687,745; and
 - p) Note that the Budgeted Surplus position carried forward (Net Current Assets position) forecast as at 30 June 2019 is \$1,500,000.
3. Receive the Capital Expenditures Progress Tracker for August 2018 ATTACHMENT 12.1B; and
4. Receive the Schedule of Accounts and Credit Card payments made in August 2018 (approved by the Chief Executive Officer in accordance with delegation DA03-1 Payments from Municipal Fund and Trust Funds) ATTACHMENT 12.1C.

CARRIED BY ABSOLUTE MAJORITY 7/0
Councillors White, Rumble, Foster, Lynch, Gallanagh, de Pledge and Thomas voted for the motion

Reason for change:

Council sought to remove to 2 d) to m) of the Officer Recommendation and sought further information as to why they Staff considered 2 d) to m) necessary to be budget variations;

- d) Decrease Expenditure Account EV62, Australia Day Celebrations by \$8,000, from \$8,000 to \$0;
- e) Decrease Expenditure Account EV70, Community Concerts by \$2,000, from \$22,000 to \$20,000;
- f) Decrease Expenditure Account EV74, School Holidays Program by \$10,000, from \$20,000 to \$10,000;
- g) Decrease Expenditure Account EV91, Miscellaneous WTO Activities by \$3,909, from \$15,965 to \$12,056;
- h) Increase Expenditure Account EV69, Christmas Celebrations by \$1,500, from \$17,000 to \$1,850;
- i) Increase Expenditure Account EV81, Onslow Keepers by \$1,000, from \$8,000 to \$9,000;
- j) Increase Expenditure Account EV87, Cultural Community Development by \$10,000, from \$20,000 to \$30,000;
- k) Increase a new Expenditure Account for Paraburdoo Information Bay Utilities by \$3,500, from \$0 to \$3,500;
- l) Increase a new Expenditure Account for Paraburdoo Information Bay Maintenance by \$2,909 from \$0 to \$2,909;
- m) Increase a new Expenditure Account for Paraburdoo Information Bay Works by \$5,000, from \$0 to \$5,000.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

Mr Rob Paull left the room at 1.29 pm due to his declaration of interest for Officers Recommendation 2.

Officers Recommendation and Council Decision 2

MOVED: Cr P Foster

SECONDED: Cr M Lynch

That with respect to the Monthly Financial Report, that Council:

- 1. Receive the Financial Report for August 2018 associated with Muzzy's Hardware (Tom Price) ATTACHMENT 12.1D.**

CARRIED 7/0

Councilors White, Rumble, Foster, Thomas, Lynch, Gallanagh and de Pledge voted for the motion

Mr Rob Paull returned to the room at 1.30 pm. The Presiding Member advised Mr Paull of the outcome of the vote for this item.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

13. PROPERTY AND DEVELOPMENT SERVICES REPORTS

13.1 NAMING OF THE PILBARA REGIONAL WASTE MANAGEMENT FACILITY ACCESS ROAD

MINUTE: 424/2018

FILE REFERENCE:	WM07
AUTHOR'S NAME AND POSITION:	Janelle Fell Economic & Land Development Manager
AUTHORISING OFFICER AND POSITION:	Chantelle Bryce Acting Director Property and Building Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	21 August 2018
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Agenda Item 7.1 (Minute No. 378/2018) – Ordinary Meeting of Council May 2018

Summary

At the Ordinary Meetings of Council (OCM) on 20 August 2014 and 15 October 2014, Council endorsed a list of potential street names to be used at Barrada Estate and elsewhere in Onslow. With the creation of a reserve for the Pilbara Regional Waste Management Facility, progressing a name is required for the access road which will intersect with Onslow Road.

To ensure the most appropriate names are aligned to the relevant location, proposed names are to be referred to Council for final approval. The remaining names from the 2014 approved list are presented for Council to determine the preferred name.

Background

At the OCM on 20 August 2014, Council approved a list of 61 potential street names, including a mix of Indigenous and European names. These potential street names were endorsed on the basis that Council approve the selection prior to the names being submitted to the Geographic Names Committee. At the OCM on 15 October 2014, Council approved an additional 20 European names for use at Barrada Estate or elsewhere in Onslow.

The Pilbara Regional Waste Management Facility will be located within the current Lot 150, approximately 36km south of Onslow, on Onslow Road. Site studies, assessment and approvals are progressing with construction programmed to commence in May 2019.

The 432.985ha required for the Pilbara Regional Waste Management Facility is to be subdivided from Lot 150, with this new lot comprising a Crown reserve with a Management Order to be granted to the Shire of Ashburton for the purpose of "Waste Disposal Site". As the new lot has no direct public road access, the Deposited Plan will create an access road

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

linking it to Onslow Road. Prior to dealing with the Deposited Plan to create the new lot and road, the Geographic Names Committee require the submission of an acceptable road name. It is proposed that this name be selected from Council's list of previously nominated road names. Given that the only purpose for the new road is to access the Shire's new landfill site, it is considered inappropriate to use a Thalanyji name, and so the remaining names from the 2014 approved lists are:

Proposed Name	Relationship to District
Badock	Street name from Old Onslow. Former Resident Magistrate.
Dunsboro	Street name from Old Onslow. Sir Arthur Onslow's Uncle's parish name.
Higham	Harold Higham – Pioneer/Pastoralist who was on the Road Board at Old Onslow and also built the Nanutarra Homestead.
Merrow	Street name from Old Onslow. The Onslow family regarded itself as a Surrey family. Merrow was a parish in the second division of the Hundred of Woking in the patronage of the Earls of Onslow.
Crawford	Alan Edward Crawford 12/02/1953 – 09/09/2013 Alan's first 6 years of life were spent at Red Hill station with his parents Ted and Sally Crawford and siblings Lawrence, Irene and Kaye before being sent south for his education, and boarding with his favourite Aunt. With his school years behind him he returned to Station life for a while before venturing out to start work for Pioneer Concrete at Pannawonica. He moved to Perth with the Company where he met his first wife Vicki. They took a year off, touring around Australia before coming back to work on the family property at Red Hill until it was sold. They then made Onslow their home when Alan got a job with the Shire on the road gang. They raised a family of three sons, Danny, Guy and Rory. Alan worked for the Shire for the next 36 years until his death in 2013. Many of his friends suggested that he have a street named after him due to his long service and commitment to the Shire. This would be a fitting tribute to Alan.
Cane	Charles Cane had the Cane River named after him circa 1866.
Stewart	Eleanor and John Stewart were at Yanrey Stn 1890s Eleanor is buried at Old Onslow.
Blair	Ian Blair 10/10/1929 – 23/10/1997. Ian grew up on Meentheena Station out of Marble Bar. He became a Policeman and served at Marble Bar and Wittenoom before coming to Onslow in 1959 with his wife Val and children David, Lynette and Ross. He was a great bush Policeman and after quitting the police force so he could stay in the Pilbara, he became a stalwart of the Onslow community. He was the town's official funeral director, marriage celebrant, justice of the peace, second hand goods and marine dealer, motor wrecker and gas agent. He was a fisherman, skippered boats, represented various companies and ran his own rock, bottle and shell museum from a large shed at the front of his house in 3rd Avenue which was a popular tourist attraction. He was founder of the Onslow St John Ambulance Service and the instigator of getting the Goods Shed Museum up and running. Suffice to say

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

	the Ian Blair Memorial Boardwalk was named in his honour. A Street in his name would put the icing on the cake!
Herbert	Local family 1930s.
Grant	Keith McKenzie Grant, local identity 1930s Interred Onslow Cemetery 30/07/1985.
Gray	Old Onslow transport people.
Stroud	Michael Stroud well known station owners.
Tucker	Unknown origin.
Joy	Unknown origin.
Hayes	Unknown origin.
Depledge	Purchased Yanrey station in 1898.
Mullins	Unknown origin.
Fazeldine	Unknown origin.

The access road will create the link to the new Crown reserve and will be under the care, control and management of the Shire of Ashburton. The road access intersection with Onslow Road, vehicle movements and road abatement measures are included in the Pilbara Regional Waste Management Facility project scope and budget.

Comment

As the list of Council-approved road names has not been considered or approved by the Geographic Names Committee (GNC), it would be sensible to select and submit up to four possible names in case some are determined unacceptable under the GNC Guidelines.

Should Council be unhappy with the remaining names and wish to nominate alternatives, it is suggested that several be selected to ensure that if any of the names are deemed unsuitable by the GNC for any reason (for example; insufficient history or meaning or there are two street names that are considered to be too similar) another Council resolution is not required to allow the consideration process to continue.

Consultation

Executive Management Team
Principal Planner

Statutory Environment

There are no known statutory impediments.

Financial Implications

There are no known meaningful financial implications relative to this matter in excess of officer time and minor administrative costs.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027
Goal 4 – Quality Services and Infrastructure
Objective 1 – Quality Public Infrastructure

Risk Management

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures, and is unlikely to need specific application of resources.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

Policy Implications

There are no known policy implications for this matter.

Voting Requirement

Simple Majority Required

Officers Recommendation and Council Decision

MOVED: Cr L Rumble

SECONDED: Cr M Lynch

That with respect to the Naming of the Pilbara Regional Waste Management Facility Access Road, that Council:

- 1. Request the Minister for Planning, Lands and Heritage name the access road on Deposited Plan 414367 (ATTACHMENT 13.1), subject to Geographic Names Committee approval:**
 - a. Crawford Road'; or**
 - b. Fazeldine Road'; or**
 - c. Higham Road'; or**
 - d. Cane Road'.**

CARRIED 7/0

Councillors White, Rumble, Foster, Lynch, Gallanagh, de Pledge and Thomas voted for the motion

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

14. COMMUNITY SERVICES REPORTS

There were no Community Services Reports for this meeting.

15. INFRASTRUCTURE SERVICES REPORTS

15.1 AMENDMENT TO FEES AND CHARGES

MINUTE: 425/2018

FILE REFERENCE:	FM29
AUTHOR'S NAME AND POSITION:	Brenton Hall Operations Manager Infrastructure Services
AUTHORISING OFFICER AND POSITION:	Ian Hamilton Director Infrastructure Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	30 August 2018
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

Council has adopted the Fees and Charges for 2018/19, however clarification is required in relation to the description of unsorted and sorted load and fee associated with the disposal of tyres.

Background

Contained within the 2018/19 Fees and Charges is a description relating to unsorted and sorted loads that has the words "*Construction and Demolition*". This wording is causing confusion with respect to the disposal of items from domestic properties by contractors.

In addition, 2018/19 Fees and Charges provides for two fees applicable to the disposal of car tyres depending if the tyres are attached to rims or not. This description also is causing confusion.

ATTACHMENT 15.1

Comment

Unsorted and Sorted Loads

Currently the 2018/19 Fees and Charges includes as follows:

"DISPOSAL CHARGES

Waste Disposal Facilities

- *Unsorted - Construction and Demolition Waste. This includes mixed loads of waste from construction sites. Definition of sorted - more than 10% of the load has material that could be removed and stockpiled;*

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

- *Sorted – Construction and Demolition Waste. This includes concrete, bricks, rubble rocks, soil and sand, timber, plastic (PVC etc), plaster board. Definition of sorted - Less than 10% of the load has material that could be removed and stockpiled”;*

It is requested that for clarity, the reference to Unsorted and Sorted Loads be amended to read as follows:

- *“Unsorted - This includes waste from domestic properties removed by commercial operators and includes putrescible waste, concrete/bricks/tiles, pallets, paper including magazines / glossy paper, cardboard or any other item. (Definition of Unsorted - more than 10% of the load has material that could be removed and stockpiled)”*
- *“Sorted - This includes waste from domestic properties removed by commercial operators and includes putrescible waste, concrete/bricks/tiles, pallets, paper including magazines / glossy paper, cardboard or any other item. (Definition of Sorted - Less than 10% of the load has material that could be removed and stockpiled)”*

Car, motorbike and light vehicle tyres

Currently the 2018/19 Fees and Charges includes as follows:

G/L Code	Description	Basis of Charge	Fee/Charge 2018/19
102613	Car, motorbike and light vehicle tyres (with or without rims) – Commercial and Domestic Charges apply	each	\$16.65
102613	Tyres-with rims removed (cars and trucks)	each	\$20.50

It is requested that for clarity, the reference to car, motorbike and light vehicle tyres be amended to:

- read as follows: *“Car, motorbike and truck tyres - rims must be removed”;* and
- only have one fee for the disposal of tyres at \$20.50 each tyre.

As the fee is to be changed, local public notice of the changes is required. It is noted that the change in fee will take effect from the date of the public notice.

Consultation

Executive Management Team
Manager Operations
Acting Waste Management Coordinator

Statutory Environment

Section 6.16, *Local Government Act 1995* - Fees and Charges

Financial Implications

There will be a positive impact on the budget with the re-introduction of a charge for paper and cardboard. However due to the unknown quantity of paper and cardboard brought into the site the precise amount of income cannot be determined.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027
Goal 4 – Quality Services and Infrastructure
Objective 01 – Quality Public Infrastructure

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

Risk Management

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Framework. The perceived level of risk from the Risk Matrix is "Low". The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures, and is unlikely to need specific application of resources

Policy Implications

There are no policy implications for this matter.

Voting Requirement

Absolute Majority Required

Officers Recommendation 1

MOVED: Cr L Rumble

SECONDED: Cr R de Pledge

That with respect to the 2018/19 Fees and Charges, Council amend the following description in the Facilities Schedule as follows:

G/L Code	Description	Basis of Charge	Fee/Charge 2018/19
102613	Unsorted - This includes waste from domestic properties removed by commercial operators and includes putrescible waste, concrete/bricks/tiles, pallets, paper including magazines / glossy paper, cardboard or any other item. (Definition of Unsorted - more than 10% of the load has material that could be removed and stockpiled)	Tonne	\$92.00
102613	Sorted - This includes waste from domestic properties removed by commercial operators and includes putrescible waste, concrete/bricks/tiles, pallets, paper including magazines / glossy paper, cardboard or any other item. (Definition of Sorted - Less than 10% of the load has material that could be removed and stockpiled)	Tonne	\$46.00

CARRIED BY ABSOLUTE MAJORITY 7/0
Councillors White, Rumble, Thomas, Foster, Lynch, Gallanagh and de Pledge voted for the motion

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

Officers Recommendation 2

MOVED: Cr L Thomas

SECONDED: Cr M Lynch

That with respect to the 2018/19 Fees and Charges, Council

1. Delete the following description in the Facilities and Fees and Charges Schedule as follows:

G/L Code	Description	Basis of Charge	Fee/Charge 2018/19
102613	Car, motorbike and light vehicle tyres (with or without rims) – Commercial and Domestic Charges apply	each	\$16.65
102613	Tyres-with rims removed (cars and trucks)	each	\$20.50

2. Insert the following description in the Facilities and Fees and Charges Schedule as follows:

G/L Code	Description	Basis of Charge	Fee/Charge 2018/19
102613	Car, motorbike and truck tyres - rims must be removed	each	\$20.50

3. Pursuant to section 6.16 of the *Local Government Act 1995* amend the Fees & Charges Schedule as per 1 and 2 above and give local public notice of the changes with the revised fee/charge taking effect from the date of that notice.

CARRIED BY ABSOLUTE MAJORITY 7/0
Councillors White, Rumble, Thomas, Foster, Gallanagh, de Pledge and Lynch voted for the motion

UNCONFIRMED

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

**15.2 INFRASTRUCTURE CAPITAL WORKS - FIRST QUARTER
REPORTING/REVIEW 2018/19**

MINUTE: 426/2018

FILE REFERENCE:	CM11
AUTHOR'S NAME AND POSITION:	Ian Hamilton Director Infrastructure Services
AUTHORISING OFFICER AND POSITION:	Rob Paull Chief Executive Officer
NAME OF APPLICANT/ RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	30 August 2018
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

This is the initial report of four reports to be tabled at Council throughout 2018/19 Financial Year pertaining to a Quarterly review of Infrastructure Services Capital Work (CAPEX) program throughout the Shire of Ashburton.

Background

In October 2010 the Integrated Planning and Reporting Framework (IPRF) and Guidelines for all Local Governments was introduced in Western Australia, under changes to the *Local Government Act 1995* (Refer to Statutory Environment of this report). This framework aims to ensure integration of community priorities into strategic planning for Councils, as well as implementation of the objectives that have been set from these priorities.

The framework requires each Local Government to have three levels of integrated strategic planning, informed and supported by appropriate resourcing and asset management plans. The key components of the IPRF are:

- Strategic Community Plan;
- Corporate Business Plan;
- Long Tern Financial Plan;
- Asset Management Plan;
- Workforce Plan; and
- Budget.

Subsequently, this report is part of the Annual Reporting Plan and Informing Strategies for Service and Budget purpose of achieving a vision for the community and regional stakeholders.

MINUTES - ORDINARY MEETING OF COUNCIL 19 SEPTEMBER 2018

This framework also builds in reporting requirements to ensure transparency and the demonstration of planned achievements.

All operational planning and reporting is conducted quarterly and annually through the Shire's Annual Reports to ensure priorities are achievable and effectively timed, while the financials are detailed within the Shire's Annual Budget or Long Term Financial Plan.

ATTACHMENT 15.2

Comment

The Infrastructure Services Capital Works Program for 2018/19 Budget is part of the IPRF structure, for both Informing Strategies/Measurements and Reporting. This document is part one of four Infrastructure Services Capital works reports to be presented to Council throughout 2018/19 financial year.

It should be noted this is a "Living Document" that can be adapted and responds to various changes such as the current Twitchen Road works Project with Roads to Recovery Funding.

Subsequently there may be changes to each report depending on unforeseen circumstances such as resource allocation, funding, adverse weather and changing priorities.

In addition, the development of the 2019/20 CAPEX Programme will be developed in accordance with a one to fifteen year Strategic Plan with further reports to Council for adoption pertaining to:

- Drainage – Report to Council September 2018/19;
- Rural Roads – Report to Council December 2018/19;
- Urban Roads – Report to Council December 2018/19;
- Footpaths – Report to Council February 2019/20; and
- Street Tree Strategy – Report to Council March 2019/20.

This is to ensure the Community receives "value for money" and builds organisational and resource capabilities to meet and improve the community's needs throughout the Shire of Ashburton.

Consultation

Executive Management Team

Statutory Environment

Section 5.56 from the *Local Government Act 1995*:

"5.56. Planning for the future

- (1) A local government is to plan for the future of the district.*
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district".*

Local Government (Administration) Regulations 1996:

19C. Strategic community plans, requirements for (Act s. 5.56)

- 1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- 2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*
- 3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

- 4) *A local government is to review the current strategic community plan for its district at least once every 4 years.*
- 5) *In making or reviewing a strategic community plan, a local government is to have regard to —*
 - a) *the capacity of its current resources and the anticipated capacity of its future resources; and*
 - b) *strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and*
 - c) *demographic trends.*
- 6) *Subject to sub-regulation (9), a local government may modify its strategic community plan, including extending the period the plan is made.*
- 7) *A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*

**Absolute majority required.*
- 8) *If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
- 9) *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
- 10) *A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.*

Financial Implications

There are no known financial implications for this matter.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027
Goal 04 – Quality Services and Infrastructure
Objective 01 – Quality Public Infrastructure

Risk Management

This item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be "Low".

Policy Implications

Council Policy ENG09 – Asset Management Policy
Council Policy ENG13 – Road Management Policy

Voting Requirement

Simple Majority Required

Council Decision

MOVED: Cr L Rumble

SECONDED: Cr M Lynch

That Council Suspend Standing Orders at 1.37 pm.

CARRIED 7/0

Councillors White, Rumble, Thomas, Foster, Lynch, Gallanagh and de Pledge voted for the motion

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

Council Decision

MOVED: Cr L Rumble

SECONDED: Cr M Lynch

That Council resume Standing Orders at 1.48 pm.

CARRIED 7/0

Councillors White, Rumble, Thomas, Foster, Lynch de Pledge and Gallanagh voted for the motion

Officers Recommendation and Council Decision

MOVED: Cr P Foster

SECONDED: Cr L Rumble

That with respect to the Infrastructure Services Capital Works – First Quarter Reporting/Review 2018/19, that Council receive this report.

CARRIED 7/0

Councillors White, Rumble, Foster, Lynch, Gallanagh, de Pledge and Thomas voted for the motion

15.3 STORMWATER DRAINAGE - ASSET MANAGEMENT AND REALLOCATION 2018/19 BUDGET FUNDS TO JET CLEAN THE BLOCKED URBAN STORMWATER PIPES NETWORK AND STORMWATER MODELLING

MINUTE: 427/2018

FILE REFERENCE:	SD01
AUTHOR'S NAME AND POSITION:	Anup Paudel Manager Strategic Asset Management
AUTHORISING OFFICER AND POSITION:	Ian Hamilton Director Infrastructure Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	29 August 2018
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

MINUTES - ORDINARY MEETING OF COUNCIL 19 SEPTEMBER 2018

Summary

Shire of Ashburton is currently upgrading the existing core Asset Management plans prepared by consultants in early 2018. This will include a comprehensive 15 year renewal works program and conditionally modelling for each asset class such as stormwater, roads, footpaths etc.

Subsequently, this report is the first stage of developing a 15 year renewal works program and conditional modeling of the Shire of Ashburton stormwater drainage assets.

However recent investigation has identified that more than 35% of the inspected drainage pipe network has blockages and is severely affecting the efficiency of the network. Therefore in order to prepare the Asset expansion program for 2018/19 we have to clean the debris accumulated in the existing drainage network.

It is recommended to reallocate a total \$400,000 for Jet cleaning and Stormwater modelling out of Capital Works GL19038 Drainage Renewal Program at \$856,900 into GL11024070 Works Prog/Urban Stormwater Drainage.

This will leave the remaining \$456,900 for the stormwater modelling and renewal of the stormwater drainage assets for this financial year.

Background

Council adopted its first Asset Management Strategy in September 2017 to comply with the legislative requirements and Integrated planning and reporting framework (IPRF) structure. One of the recommendations of the Asset Management strategy adopted previously was to prepare Asset Management Plans for each class of the assets.

In 2017/18, administration engaged consultants to develop the Core Asset Management Plans for each asset class that complies with the legislative requirements and IPRF structure.

The comprehensive Asset Management Plan for stormwater drainage will provide the information to make an informed decision regarding the future expansion and capital renewal work. One of the noticeable features of the comprehensive Asset Management Plan will be the 15 years integrated long term renewal and expansion works programs that will assure the delivery of the agreed level of service to the community. Administration will be preparing those plans over the next 12 months.

Infrastructure Services is currently working on the Asset Management Plan for stormwater Drainage and recently completed its three years CCTV inspection program. This program has delivered the extensive survey of the stormwater conduits/pipes which is essential to identify the existing stormwater drainage condition. This also enables Council, to undertake modelling of the existing assets applying the principle of asset deterioration as it is consumed.

The four key issues identified in the recent CCTV inspections and subsequent investigation regarding the stormwater drainage are as follows:

1. More than 35% of the stormwater conduit has debris accumulated on it;
2. Lack of knowledge regarding the existing and potential capacity of the pipes network to work efficiently in the event of a major rainfall event;
3. Towns are isolated thus cannot integrate the stormwater into one network;
4. Inconsistence rainfall intensity across the various town of the Shire
 - o 100 years of rainfall events in Tom Price occurs every 20 years in Onslow and
 - o 100 years of rainfall events in Paraburdoo occurs every 15 years in Onslow.

MINUTES - ORDINARY MEETING OF COUNCIL 19 SEPTEMBER 2018

Following the CCTV inspection and condition assessment of the stormwater network, Asset Management conducted the predictive modelling of the condition of the stormwater drainage and it was identified that Council needs to allocate \$640,000 on average per year for next 15 years to renew the existing stormwater drainage network relying on the condition of the assets.

However, the estimated renewal budget is subject to change depending upon the recommendation of the stormwater modelling report and availability of the budget in the subsequent years. Prediction modelling is attached.

ATTACHMENT 15.3

Comment

Poor maintenance practice and accumulation of the silts and debris on the stormwater conduits/pipes has reduce the capacity and the efficiency of the stormwater drainage significantly. This debris shall be removed and cleaned immediately to improve the productivity of the stormwater network. The preliminary estimation for Jet cleaning activity for a blocked stormwater pipes network is expected to cost council \$400,000. The existing Operation and Maintenance budget do not have any provision for jet cleaning of the drainage network.

The recent CCTV inspection report has provided the comprehensive information to do the prediction modelling and the preparation of 15 years renewal works program of the existing assets. However, lack of the stormwater modelling and expert advice from the Hydraulics Engineer, it is extremely difficult to make an informed decision that if the existing stormwater drainage network have enough capacity to operate efficiently in the occasion of higher rainfall events like 1 in 50 or 100 yrs. events. Replacing the existing old stormwater conduit/pipes do not work efficiently if the discharge is related to the capacity of the section. This modelling will identify those sections where capacity is an issue to discharge the water in extreme rainfall events.

It will also provide us 15 years stormwater drainage expansion project which will be incorporated in the Comprehensive Asset Management Plan. This also provide us an opportunity to revise the existing renewal program with the recommended dimension of the stormwater assets in the report.

However, without cleaning the blockages on the pipe network and lack of further investigation modelling regarding the capacity of the existing stormwater drainage network, it will not be a practical to renew the existing drainage structures. Thus, it is recommended to split the existing drainage renewal budget and allocate \$400,000 for Jet cleaning activity. This will leave the remaining \$456,900 for stormwater modelling for Onslow, Tom Price and Paraburdoo and stormwater renewal projects 2018/19.

Consultation

Director Infrastructure Services
Acting Manager Technical Services

Statutory Environment

Section 5.56 from the *Local Government Act 1995*:

5.56. *Planning for the future*

(1) *A local government is to plan for the future of the district.*

(2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

Local Government (Administration) Regulations 1996:

19C. Strategic community plans, requirements for (Act s. 5.56)

(1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.

(2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.

(3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.

(4) A local government is to review the current strategic community plan for its district at least once every 4 years.

(5) In making or reviewing a strategic community plan, a local government is to have regard to —

(a) the capacity of its current resources and the anticipated capacity of its future resources; and

(b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and

(c) demographic trends.

(6) Subject to sub-regulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.

(7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine whether or not to adopt the plan or the modifications.*

**Absolute majority required.*

(8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

(9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.

(10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

Financial Implications

There are no financial implications for this matter. The recommendation of this project is to relocate existing 2018/19 capital expenditure budget as per recommendation.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027

Goal 4 – Quality Services and Infrastructure

Objective 01 – Quality Public Infrastructure

Risk Management

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be "low" in light backlog of asset renewal.

Policy Implications

Council Policy ENG09 – Asset Management Policy

Voting Requirement

Absolute Majority Required

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

Officers Recommendation and Council Decision

MOVED: Cr L Thomas

SECONDED: Cr M Gallanagh

That with respect to Stormwater Drainage – Asset Management and Reallocation 2018/19 Budget funds to jet clean the blocked urban stormwater pipes network and stormwater modelling, that Council:

- 1. Receive the 2019–2034 Planned Replacement Expenditure Stormwater Drainage Renewal Program as addressed in the report and ATTACHMENT 15.3; and**
- 2. Reallocate \$400,000 for cleaning identified blocked urban stormwater pipes network in Tom Price, Paraburdoo and Onslow and stormwater modelling from Expenditure Account 19038, Drainage Renewal Program, from \$856,900 to \$400,000, to Operating Expenditure Jobs:**
 - W245, Works Program Stormwater Maintenance Tom Price, from \$0 to 133,333;**
 - W246 Works Program Stormwater Maintenance Onslow, from \$0 to \$133,333; and**
 - W247 Works Program Stormwater Maintenance Paraburdoo, from to \$0 to \$133,334;**

with the remaining \$456,900 to be allocated for stormwater modelling as identified in 2019 –2034 Planned Replacement Expenditure Stormwater Drainage Renewal Program.

CARRIED BY ABSOLUTE MAJORITY 7/0
Councillors White, Rumble, Foster, Lynch, Gallanagh, de Pledge and Thomas voted for the motion

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

15.4 RFQ 51.18 - SUPPLY AND DELIVERY OF A 13 - 27 TONNE MULTI TYRE PNEUMATIC ROLLER

MINUTE: 428/2018

FILE REFERENCE:	CMQ51.18
AUTHOR'S NAME AND POSITION:	Mark Reid Fleet Manager Ian Hamilton Director Infrastructure Services
AUTHORISING OFFICER AND POSITION:	Rob Paul Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	11 September 2018
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

A Request for Quotation (RFQ) was issued via the WALGA eQuotes platform to the Panel of Prequalified suppliers on contract NPN 04-13 'Trucks & Associated Equipment'.

Quotes were sought from the WALGA panel with responses from the following suppliers being:

- 1: BT Equipment Pty Ltd (T/A Tutt Bryant Equipment);
- 2: Conplant Pty Ltd;
- 3: G.C.M Agencies Pty Ltd;
4. JCB Construction Equipment Pty Ltd;
5. Semco Equipment Sales PTY Ltd; and
6. Westrac Pty Ltd;

The evaluation panel has now completed its assessment of the submissions and makes their recommendation.

Background

The 2018/19 Budget provides for a new to fleet (not a replacement plant) Multi Tyre Road Roller to be utilised within the Shire's Rural Road Maintenance Program. This is an approved 2018/19 Capital Expenditure under General Ledger account 124957.

The Shire's existing Multi Tyre Roller is deployed full time to the Onslow Aerodrome and remains in the Plant Replacement Program, however due to its reduced operational duties its life cycle has been extended.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

The selection criteria were as per the criteria in FIN12 Purchasing Policy for Category 1: PLANT (Generally vehicles, machinery, small and large plant).

The selection criteria was:

Criteria		Weighting
(a)	Timing	10%
(b)	Quality/Lifecycle/ Maintenance	40%
(c)	Price	50%

The evaluation panel then assessed the submissions against the selection criteria and value for money. The evaluation spreadsheet, including the scope, overall evaluation scores and rankings, is attached as a confidential item.

CONFIDENTIAL ATTACHMENT 15.4

Comment

The submissions have been assessed with the below scores and rankings:

Rank	Tenderer	Score (/100)
1	BT Equipment (T/A Tutt Bryant Equipment)	89.3
2	Complaint Option 1	74.8
3	JCB Constructions Option 1	71.3
4	Complant Option 2	67.4
5	JCB Construction Option 2	64.9
6	Semco Option 1	63.4
7	Westrac Option 2	63.3
8	Westrac Option 1	62.2
9	Semco Option 2	62.1
10	GCM Agencies	50.0

The evaluation panel concluded that BT Equipment (T/A Tutt Bryant Equipment) are the most suitable and value for money submission in relation to RFQ 51.18.

Consultation

Chief Executive Officer
Works Coordinator
Fleet Mechanic

Statutory Environment

Local Government Act 1995 Section 5.23(2) (c)

Part 4 of the Local Government (Functions and General) Regulations 1996

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

- (1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) *Regulations may make provision about tenders.*

Local Government Act 1995 Section 5.23. Meetings generally open to public

- (2) *If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —*

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

- (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;”*

Local Government (Functions and General) Regulations 1996

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150,000 unless sub-regulation (2) states otherwise.*
- (2) *Tenders do not have to be publicly invited according to the requirements of this Division if:*
- (a) *the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or*
 - (b) *the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program;*

Financial Implications

The budgeted provision for this vehicle is \$160,000.00 excluding GST for the 2018/19 financial year.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027
Goal 04 – Quality Services and Infrastructure
Objective 01 – Quality public infrastructure

Risk Management

This item has been evaluated against the Shire of Ashburton’s Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be “Moderate” (consequences “extreme”, likelihood “rare”). This level of risk is being driven by the fact that high risk work is proposed to be undertaken in an urban environment, and the fact that prolonged interruption of services may result from delays to the works. It is considered that the likelihood of a risk event occurring is “rare” but it will be managed by specific monitoring and response procedures.

Policy Implications

FIN12 Purchasing Policy. This Policy outlines how the Shire of Ashburton will deliver 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. This Policy was used to undertake the procurement process.

Voting Requirement

Simple Majority Required

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

Officers Recommendation and Council Decision

MOVED: Cr L Rumble

SECONDED: Cr M Lynch

That with respect to RFQ 51.18 – Supply and Delivery of a 13 – 27 Tonne Multi Tyre Pneumatic Roller, that Council:

- 1. Resolve that Report ATTACHMENT 15.4 is confidential in accordance with s5.23 (2) the *Local Government Act 1995* because it deals with matters affecting s5.23 (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;”**
- 2. Note the attached Evaluation report CONFIDENTIAL ATTACHMENT 15.4;**
- 3. Award the contract to BT Equipment (T/A Tutt Bryant Equipment) \$155,000.00 excluding GST;**
- 4. Authorise the Chief Executive Officer to enter into a contract with the appointed Contractor; and**
- 5. Authorise the Chief Executive Officer to manage the contract, including any variations to the design specifications and contract value, providing this does not exceed the project budget or reduce the overall scope.**

CARRIED 7/0

**Councillors White, Rumble, Foster, Lynch, Gallanagh, de Pledge and Thomas
voted for the motion**

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

16. COUNCILLOR AGENDA ITEMS / NOTICES OF MOTIONS

16.1 NOTICE OF MOTION – CONCERNS RELATING TO THE NBN ROLLOUT ACROSS PARABURDOO AND TOM PRICE

MINUTE: 429/2018

FILE REFERENCE: IT02

Cr Foster tabled the following Notice of Motion in regard to the NBN roll-out across Paraburdoo and Tom Price:

That Council:

1. Is disappointed with the NBN roll-out across Paraburdoo and Tom Price with some properties still unable to access the service.
2. Ask the CEO to write to the NBN Co asking how this is being addressed - as it is affecting resident and business customers across the two towns, example Yanagin Place (no connections as I understand it) Pilkena St (some properties not all) and Croton St (some properties not all).
3. Seeks a response from NBN in relation to providing a more secure internet service for Onslow that does not rely upon Skymuster satellite connection.

The Shire President noted that this matter would be referred to officers for a report, which will be put before Council at the earliest reasonable opportunity.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

**17. NEW BUSINESS OF AN URGENT NATURE INTRODUCED
BY DECISION OF MEETING**

Declaration of Interest

Prior to consideration of this Agenda Item

Cr White declared a financial interest.

See item 6.2 for details of the interest declared.

RECORDED ON REGISTER GV07

- (a) *Cr Foster presented to Council an Item that had not been included in the Agenda and requested that it be accepted by Council*
- (b) *The Chief Executive Officer presented to Council an Item that had not been included in the Agenda and requested that it be accepted by Council.*

Council Decision

MOVED: Cr M Lynch

SECONDED: Cr P Foster

That Council accept the following New Business of an Urgent Nature;

17.1 CONCESSION ON CERTAIN RATES IN ONSLOW; and

18.2 CONFIDENTIAL ITEM – APPOINTMENT OF DIRECTOR PROPERTY AND DEVELOPMENT SERVICES

CARRIED 7/0

**Councillors White, Rumble, Foster, Lynch, Gallanagh, de Pledge and Thomas
voted for the motion**

Cr White left the room at 1.54 pm due to her declaration of financial interest for item 17.1. The Deputy President, Cr Rumble resumed the chair at 1.54 pm.

Council Decision

MOVED: Cr M Lynch

SECONDED: Cr P Foster

That Council Suspend Standing Orders at 1.55 pm.

CARRIED 6/0

**Councillors Rumble, Thomas, Foster, Lynch, de Pledge and Gallanagh voted for the
motion**

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

Council Decision

MOVED: Cr P Foster

SECONDED: Cr M Lynch

That Council resume Standing Orders at 2.11 pm.

CARRIED 6/0
Councillors Rumble, Thomas, Foster, Lynch, de Pledge and Gallanagh voted for the motion

17.1 CONCESSION ON CERTAIN RATES IN ONSLOW

MINUTE: 430/2018

FILE REFERENCE:	RV01
AUTHOR'S NAME AND POSITION:	Rob Paull Chief Executive Officer
AUTHORISING OFFICER AND POSITION:	Rob Paull Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	19 September 2018
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

The Shire has received numerous complaints concerning rate rises in Onslow, largely due to the removal of the previous rate concession.

Background

Council adopted the 2018/19 Budget on 26 July 2018 and in doing so, removed the rate concession for certain residential properties in Onslow. The result has been a significant number of concerns from ratepayers expressing financial hardship where their rates have in some circumstances, risen many thousands of dollars.

Comment

Each year, when proposing the imposition of rates, Council must:

1. Ensure compliance requirements of the *Local Government Act 1995* ("the Act") are met, in particular section 6.36 and 6.47 in relation to public notification and granting concessions respectively; and

MINUTES - ORDINARY MEETING OF COUNCIL 19 SEPTEMBER 2018

2. Follow Rating Policy ("the Policy") guidelines as set out by the Department of Local Government Sport and Cultural Industry.

Further to this, when proposing the imposition of rates, the Act and the Policy both require Council acknowledge and consider:

- a. Strategic Planning documents including Council's Rating Strategy; and
- b. Any submissions received from the public prior to adopting the schedule of rates.

At the Ordinary Meeting on 19 June 2018, Council ensured its Rating Strategy had been acknowledged and considered - the Rating Strategy was adopted by Council on 23 May 2017 and at that time public notice was given for 21 days inviting comment. Importantly the Rating Strategy made clear reference to the Onslow residential concession being discontinued at the next revaluation date (i.e. for 2018/19).

In relation to inviting submissions, Council advertised on 22 June 2018 in both the West Australian newspaper and local notice boards. The Act is not prescriptive in terms of what the advertisement should disclose other than inviting submissions and making available a Statement of Objects and Reasons ("the Statement") outlining why Council intends to impose the rates schedule. For 2017/18 the Statement made reference to Councils intention to apply concessions for Residential properties - for 2018/19 the Statement reference was removed.

As well as adhering to the Act and the Policy for 2018/19 Elected Members held workshops and information sessions at their Ordinary Meetings on 22 May 2018 and 19 June 2018. Although these sessions were not open to the public they did enable Councillors an opportunity to understand, on behalf of their constituents, the important factors for 2018/19 rates, including the removal of residential concessions as well as the impact on rates notices of significant fluctuations to land valuations.

Council is very serious about being compliant and diligent in its rates process. However, given the severe impact the rates notices have had on residences and businesses this year, Council may consider various options to alleviate some of the financial burden for ratepayers struggling to find the means to deal with this year's significant increase. It is open to Council to consider a further 'temporary' concession for certain ratepayers in Onslow. On this basis, Council may wish to consider the suitable concession as a percent. The recommended concession is 10%.

Consultation

Councillors

Executive Management Team

Statutory Environment

The *Local Government Act 1995* following sections apply:

- S 6.32 provides Council with the power to apply rates to property;
- S 6.47 indicates that a local government may resolve to waive or grant a concession for a rate or service charge (absolute majority required). In addition, Regulation 69A of the Local Government (Financial Management) Regulations 1996 also specifies that a local government cannot use its powers under section 6.47 LGA based on whether or not the land is occupied by a person who owns the land (so called absentee owner clause);

Local Government (Financial Management) Regulations 1996 Part 5.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

Financial Implications

An additional concession would have the following impact on the 2018/19 Budget:

1. 5% concession - the maximum amount to be granted is \$23,500 were all property holders to apply;
2. 10% would be \$47,000; and
3. At 15% the amount is \$70,500 - however one ratepayer, if granted the concession will effectively pay less rates in 2018/19 than in 2017/18.

Beyond 15% therefore we would likely see some ratepayers paying less rates than prior year.

Strategic Implications

Shire of Ashburton 10 year Strategic Community Plan 2017-2027

Goal 5 – Inspiring Governance

Objective 1 – Effective Planning for the Future

Risk Management

This item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be "Low".

Policy Implications

ELM10 Financial Sustainability Policy

Voting Requirement

Absolute Majority Required

Officers Recommendation

That with respect to the 2018/19 Differential Rates and to acknowledge the significant rates increases experienced by some ratepayers:

1. Council exercise its authority per Section 6.47 of the *Local Government Act 1995*, and grant a concession upon application to alleviate the financial burden for those property holders satisfying all four of the following eligibility criteria:
 - a. Properties in the 'GRV Residential / Community' rating category;
 - b. Properties located in the town-site boundary of Onslow;
 - c. Property holders with ownership of no more than two residential / community properties; and
 - d. Property holders with a 2018/19 rates increase of more than \$400 and /or 30% on 2017/18 rates payable.
2. Authorise the Chief Executive Officer to grant the concession of up to 10% of rates payable upon application after consultation with qualified property holders up to seventy days from initial advertising and waive interest for the period of concession.

Council Decision

MOVED: Cr P Foster

SECONDED: Cr R de Pledge

That with respect to the 2018/19 Differential Rates and to acknowledge the significant rates increases experienced by some ratepayers:

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

- 1. Council exercise its authority per Section 6.47 of the *Local Government Act 1995*, and grant a concession upon application to alleviate the financial burden for those property holders satisfying all four of the following eligibility criteria:
 - a. Properties in the 'GRV Residential / Community' rating category;**
 - b. Properties located in the town-site boundary of Onslow;**
 - c. Property holders with ownership of no more than two residential / community properties; and**
 - d. Property holders with a 2018/19 rates increase of more than \$400 and /or 30% on 2017/18 rates payable.****

- 2. Authorise the Chief Executive Officer to grant the concession of up to 12.5% of rates payable upon application after consultation with qualified property holders up to seventy days from initial advertising and waive interest for the period of concession.**

CARRIED BY ABSOLUTE MAJORITY 6/0
Councillors Rumble, Foster, Lynch, Gallanagh, de Pledge and Thomas voted for the motion

Reason for change:

Council considered a 12.5% concession as reasonable and concluded that the difference of 2.5% would have minimal impact on the Budget.

Cr White re-entered the room at 2.12 pm. Cr Rumble advised Cr White of the outcome of the vote for this item. Cr White resumed the chair at 2.13 pm.

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

18. CONFIDENTIAL MATTERS

Under the Local Government Act 1995, Part 5, and Section 5.23, states in part:

- (2) If a meeting is being held by a Council or by a committee referred to in subsection (1)(b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following:**
- (a) a matter affecting an employee or employees;**
 - (b) the personal affairs of any person;**
 - (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;**
 - (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;**
 - (e) a matter that if disclosed, would reveal:**
 - (I) a trade secret;**
 - (II) information that has a commercial value to a person; or**
 - (III) information about the business, professional, commercial or financial affairs of a person,**

Where the trade secret or information is held by, or is about, a person other than the local government.

- (f) a matter that if disclosed, could be reasonably expected to:**
 - (I) Impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;**
 - (II) Endanger the security of the local government's property; or**
 - (III) Prejudice the maintenance or enforcement of any lawful measure for protecting public safety;**
- (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1981; and**
- (h) such other matters as may be prescribed.**

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

Council Decision

MOVED: Cr R de Pledge

SECONDED: Cr M Gallanagh

That Council close the meeting to the public at 2.14 pm pursuant to sub section 5.23 (2) (a) and (b) of the *Local Government Act 1995*.

CARRIED 7/0

Councillors White, Rumble, Thomas, Foster, Gallanagh, Lynch and de Pledge voted for the motion

18.1 CONFIDENTIAL – FUTURE OF THE PILBARA REGIONAL COUNCIL

MINUTE: 431/2018

FILE REFERENCE:

GR02

AUTHOR'S NAME AND POSITION:

Rob Paull
Chief Executive Officer

AUTHORISING OFFICER AND POSITION

Rob Paull
Chief Executive Officer

NAME OF APPLICANT/RESPONDENT:

Not Applicable

DATE REPORT WRITTEN:

5 September 2018

DISCLOSURE OF FINANCIAL INTEREST:

The author and authorising officer have no financial, proximity or impartiality interests in the proposal.

PREVIOUS MEETING REFERENCE:

Not Applicable

REASON FOR CONFIDENTIALITY

The Chief Executive Officer's Report is confidential in accordance with s5.23 (2) *the Local Government Act 1995* because it deals with matters affecting s5.23 (2):

(b) the personal affairs of any person;

(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.

Voting Requirement

Absolute Majority Required

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

Officers Recommendation

That with respect to the Confidential Report – Future of the Pilbara Regional Council, Council pursuant to Section 3.36 of the *Local Government Act 1995*:

1. Receive the 28 August 2018 resolution of the Pilbara Regional Council (PRC) regarding the proposed future model of operations for that organisation;
2. Agrees to dissolve the PRC in accordance with Cl 9 of the establishment agreement and withdraws from the regional local government and cease to be a participant;
3. Commits to becoming a member of the new Pilbara Regional Council Incorporated in accordance with the proposed future model as defined in the 28 August 2018 resolution of the PRC with the exception that in relation to the staffing structure and the position of Project Officer – Part Time 0.4FTE within each Pilbara town that this arrangement be optional and any such position to be at the direct cost of the contributing local government; and
4. Requests the Chief Executive Officer to advise the PRC, City of Karratha, Shire of East Pilbara, Town of Port Hedland of 1-3 (inclusive).

Officers Recommendation and Council Decision

MOVED: Cr L Rumble

SECONDED: Cr M Lynch

That with respect to the Confidential Report – Future of the Pilbara Regional Council, Council pursuant to Section 3.36 of the *Local Government Act 1995*:

- 1. Receive the 28 August 2018 resolution of the Pilbara Regional Council (PRC) regarding the proposed future model of operations for that organisation;**
- 2. Agrees to dissolve the PRC in accordance with Cl 9 of the establishment agreement and withdraws from the regional local government and cease to be a participant;**
- 3. Is prepared to commit to becoming a member of the new Pilbara Regional Council Incorporated (or similar name) in accordance with the proposed future model as defined in the 28 6/1 August 2018 resolution of the PRC with the exception that in relation to the staffing structure and the position of Project Officer – Part Time 0.4FTE within each Pilbara town that this arrangement be optional and any such position to be at the direct cost of the contributing local government; and**
- 4. Requests the Chief Executive Officer to advise the PRC, City of Karratha, Shire of East Pilbara, Town of Port Hedland of 1-3 (inclusive).**

CARRIED BY ABSOLUTE MAJORITY 6/1

Councillors White, Rumble, Foster, Lynch, Gallanagh and de Pledge voted for the motion

Cr Thomas voted against the motion

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

Reason for change:

Part 3 was changed from the Officers Recommendation to enable Council to review its position in fully endorsing its membership and to reflect the possibility that the registered name 'Pilbara Regional Council Incorporated' may not be available.

Council Decision

MOVED: Cr R de Pledge

SECONDED: Cr M Gallanagh

That Council close the meeting to the staff at 2.38 pm pursuant to sub section 5.23 (2) (a) and (b) of the *Local Government Act 1995*.

CARRIED 7/0

Councillors White, Rumble, Thomas, Foster, Gallanagh, Lynch and de Pledge voted for the motion

Mr John Bingham, Mrs Sarah Johnston, Ms Chantelle Bryce, Mr Ian Hamilton, Ms Janyce Smith and Mrs Dee Walkington all left the room at 2:38pm due Confidential Agenda Item.18.2. Minutes were taken by Cr Peter Foster when staff left the room.

UNCONFIRMED MINUTES

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

18.2 CONFIDENTIAL ITEM - APPOINTMENT OF DIRECTOR PROPERTY AND DEVELOPMENT SERVICES

MINUTE: 432/2018

FILE REFERENCE: PE.1237

AUTHOR'S NAME AND POSITION: Rachel Cassidy
Acting Manager Human Resources

AUTHORISING OFFICER AND POSITION: Rob Paull
Chief Executive Officer

NAME OF APPLICANT/RESPONDENT: Not applicable

DATE REPORT WRITTEN: 19 September 2018

DISCLOSURE OF FINANCIAL INTEREST: The author has no financial, proximity or impartiality interests in the proposal. The authorising officer has an impartiality interest as he personally knew four of the applicants for the position of Director Property and Development Services.

PREVIOUS MEETING REFERENCE: Agenda Item 18.3 (Minute No. 419/2018) – Ordinary Meeting of Council 14 August 2018

REASON FOR CONFIDENTIALITY

The Chief Executive Officer's Report is confidential in accordance with s5.23 (2) *the Local Government Act* because it deals with matters affecting s5.23 (2):

- (a) *a matter affecting an employee or employees; and*
- (b) *the personal affairs of any person; and*
- (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.*

Voting Requirement
Absolute Majority Required

Officers Recommendation and Council Decision

MOVED: Cr de Pledge

SECONDED: Cr L Rumble

That Council accept the Selection Panel and Chief Executive Officer's recommendation to appoint the preferred applicant (as outlined in the report) for the position of Director Property and Development Services for a Contract of Employment for a period of 5 years.

CARRIED BY ABSOLUTE MAJORITY 7/0
Councillors White, Rumble, Foster, Lynch, de Pledge, Gallanagh and Thomas voted for the motion

**MINUTES - ORDINARY MEETING OF COUNCIL
19 SEPTEMBER 2018**

Council Decision

MOVED: Cr L Thomas

SECONDED: Cr R de Pledge

That Council re-open the meeting to the public at 2.45 pm pursuant to sub section 5.23 (2) (a) and (b) of the *Local Government Act 1995*.

CARRIED 7/0

Councillors White, Rumble, Thomas, Foster, Gallanagh, de Pledge and Lynch voted for the motion

Mr John Bingham, Mrs Sarah Johnston, Ms Chantelle Bryce, Mr Ian Hamilton, Ms Janyce Smith and Mrs Dee Walkington all returned to the room at 2.45 pm. The Presiding Member advised the staff of the outcome of the vote for this item.

19. NEXT MEETING

The next Ordinary Meeting of Council will be held on 23 October 2018, at the Clem Thompson Sports Pavilion, Stadium Road, Tom Price commencing at 1.00 pm.

20. CLOSURE OF MEETING

There being no further business to discuss the Presiding Member closed the meeting at 2.51 pm.

UNCONFIRMED MINUTES