

Ordinary Meeting of Council

Tom Price



Minutes

24 October 2017

Tom Price Community Hall,
Tamarind Street,
Tom Price
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.



**SHIRE OF ASHBURTON
ORDINARY MEETING OF COUNCIL**

**MINUTES
Tom Price Community Hall
Tamarind Street, Tom Price
24 October 2017**

MINUTES - ORDINARY MEETING OF COUNCIL 24 OCTOBER 2017

**SHIRE OF ASHBURTON
ORDINARY MEETING OF COUNCIL**

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

Acting CEO:  _____

Date: 24.10.2017

These minutes were confirmed by Council as a true and correct record of proceedings by the Ordinary Meeting of Council held on the.../.../.....

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.

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SWEARING IN OF COUNCILLORS ELECT

In accordance with section 2.29 of the Local Government Act 1995 Councillors Elect will be sworn in by making the Declaration by an Elected Members of Council Form (Electoral Form 7) prior to the Opening of the Ordinary Meeting of Council.

Cr Douglas Ivan Dias was sworn in as a Councillor for the Paraburdoo Ward
Cr Melanie Gallanagh was sworn in as a Councillor for the Pannawonica Ward
Cr Matthew Lynch was sworn in as a Councillor for the Tom Price Ward
Cr Douglas Diver was sworn in as a Councillor for the Tom Price Ward

1. DECLARATION OF OPENING

Being the first meeting of the Council following a biennial election day, the Acting Chief Executive Officer assumed the role of Presiding Member until such time as a Shire President is elected.

The Acting Chief Executive Officer declared the meeting open at 1.15 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.

1.2 ELECTION OF SHIRE PRESIDENT

The election of Shire President will be conducted in accordance with Schedule 2.3 of the Local Government Act 1995. The Acting Chief Executive Officer will conduct this election as per clause 4(2) of Schedule 2.3.

In accordance with the Section 2.28 (Item 11) of the Local Government Act 1995 the term of the Shire President ends *when the President is next elected at or after the Local Government's next Ordinary Election*. Therefore, it is necessary to elect the Shire President. The Acting Chief Executive Officer conducted the election.

Cr White was nominated by herself.

There being no further nominations, the Acting Chief Executive Officer declared Cr Kerry White elected as the Shire President of the Shire of Ashburton for the ensuing two years.

After the election the Shire President made a declaration (Electoral Form 7) in accordance with Regulation 13 (1)(c) of the Local Government (Constitutions) Regulations 1996 and commenced presiding over the meeting.

1.3 ELECTION OF DEPUTY PRESIDENT

In accordance with the Section 2.28 (Item 12) of the Local Government Act 1995 the term of the Deputy Shire President ends *at the start of the first meeting of the Council after the Local Government's next Ordinary Election*. Therefore, it is necessary to elect the Deputy Shire President. The Shire President conducted the election through the Acting Chief Executive Officer as per clause 8(2) of Schedule 2.3.

Cr Rumble was nominated by himself.

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Cr Foster was nominated by himself.

The Acting Chief Executive Officer then conducted an election for the position of Deputy Shire President.

Following close of that election, Cr Linton Rumble was voted in as the Deputy President of the Shire of Ashburton for the ensuing two years.

After the election the Deputy Shire President made a declaration (Electoral Form 7) in accordance with Regulation 13 (1)(c) of the Local Government (Constitution) Regulations 1996.

2. ANNOUNCEMENT OF VISITORS

The Presiding Member welcomed Marion Hearn from the Tom Price Youth Support Association to the meeting.

3. ATTENDANCE

3.1 PRESENT

	Cr K White Cr L Rumble Cr D Dias Cr P Foster Cr M Lynch Cr D Diver Cr L Thomas Cr M Gallanagh	(Shire President) Presiding Member, Onslow Ward Deputy Shire President, Paraburdoo Ward Paraburdoo Ward Tom Price Ward Tom Price Ward Tom Price Ward Tableland Ward Pannawonica Ward
Staff:	Mr D Stewart Mr J Bingham Ms A Serer Ms L Reddell Mr T Davis Ms J Smith Mrs M Lewis	Acting Chief Executive Officer Director Corporate Services Director Strategic & Community Development Director Development & Regulatory Services Director Infrastructure Services Executive Officer CEO & Councillor Support Officer
Guests:	Marion Hearn	CEO Tom Price Youth Support Association
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

Cr Dellar was noted as being absent.

3.3 APPROVED LEAVE OF ABSENCE

There were no Councillors on approved leave of absence.

3. QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

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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 gave 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.
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.

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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 COMMUNITY SUPPORT GRANTS – ROUND 1, 2017/18 ANNUAL FINANCIAL YEAR		
Anika Serer	Impartiality	The nature of my interest is that I am a financial member of the Tom Price Pony and Horse Club and the extent of my interest is the club has applied for funding from the Shire of Ashburton which is recommended in this report. I am the authorising officer.
Cr Peter Foster	Impartiality	The nature of my interest is a Board Member of Nintirri Centre. The extent of my interest is the Secretary of Nintirri Centre Board and son Roman uses Little Geckos.
Cr Douglas Ivan Dias	Impartiality	The nature of my interest is that I am the treasurer of the Paraburdoo Lifestyle Centre on a voluntary basis. The extent of my interest is I assisted write grant application tabled in agenda item 12.1.
Cr Douglas Diver	Impartiality	The nature of my interest is I applied for the grant on behalf of TPCDC (Inc.). The extent of my interest is I am president and life member of TPCDC (Inc.).
Cr Linton Rumble	Impartiality	The nature of my interest is I am a member of the Tennis Club and membership is less than 30 members. The extent of my interest is I am the club treasurer.
12.4 STAND UP AGAINST BULLYING CAMPAIGN		
Cr Peter Foster	Impartiality	The nature of my interest is that I am a Board Member of the Tom Price Youth Support Association. The extent of my interest is that I am the chairperson of the TPYSA

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		& will sign MOU on behalf of the Tom Price Youth Centre.
14.3 PROPOSED PERMANENT CLOSURE OF PEDESTRIAN ACCESS WAY BETWEEN CAROB STREET AND POINCIANA STREET, TOM PRICE		
Cr Douglas Ivan Dias	Proximity	The nature of my interest is my wife and I are both long serving, valued, appreciated, dedicated and loyal employees of Hamersley Iron Pty Ltd and Rio Tinto Ltd respectively. We both receive generous remunerations, privileges, benefits and gifts from our individual employers including but not limited to lavish travel, power and water subsidies. We reside in a Rio Tinto fully renovated and a very well maintained property on a rental agreement paying well below present market value. Our employers have properties in proximity pursuant to Section 5.60A of the Local Government Act 1995 in the above agenda item. The extent of my interest is my wife and I are shareholders in Rio Tinto Ltd with shares well exceeding the prescribed amount in value as per s5.62(1)(d) of the Local Government Act 1995. We receive dividends as advertised on ASX and take advantage of regular shareholder offers. While I know the matter being dealt by Council in this agenda item will not result in a financial gain, loss, benefit or detriment for me or my family as per s5.60A. As employees and since shareholders are perceived as the ultimate owners of any publicly traded business, I am declaring my indirect and proximal conflict of interest as per the requirement of the Local Government Act 1995.
15.1 TOM PRICE ROYAL FLYING DOCTOR (RFDS) AIRSTRIP		
Cr Linton Rumble	Financial	The nature of my interest I am a Shareholder of Rio Tinto. The extent of my interest is I am a Rio Tinto Shareholder with shares well in excess of \$10,000 in value.

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Cr Peter Foster	Financial	The nature of my interest is my partner is employed by Rio Tinto, is a shareholder and as a family we live in a Rio Tinto property. The extent of my interest is my partner receives a salary from Rio Tinto, is a shareholder and we pay reduced rent for our property in Tom Price.
Cr Douglas Ivan Dias	Financial	The nature of my interest is my wife and I are both long serving, valued, appreciated, dedicated and loyal employees of Hamersley Iron Pty Ltd and Rio Tinto Ltd respectively. We both receive generous remunerations, privileges, benefits and gifts from our individual employers including but not limited to lavish travel, power and water subsidies. We reside in a Rio Tinto fully renovated and a very well maintained property on a rental agreement paying well below present market value. Our employers have a direct financial interest pursuant to Section 5.60A of the Local Government Act 1995 in the above agenda item. The extent of my interest is my wife and I are shareholders in Rio Tinto Ltd with shares well exceeding the prescribed amount in value as per s5.62(1)(d) of the Local Government Act 1995. We receiving dividends as advertised on ASX and take advantage of regular shareholder offers. While I know the matter being dealt by Council in this agenda item will not result in a financial gain, loss, benefit or detriment for me or my family as per s5.60A. As employees and since shareholders are perceived as the ultimate owners of any publicly traded business, I am declaring my direct and financial conflict of interest as per the requirement of the Local Government Act 1995.
Cr Matthew Lynch	Financial	The nature of my interest is that I am an employee of Pilbara Iron. I am paid a salary by Pilbara Iron.

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Cr Melanie Gallanagh	Financial	The nature of my interest is that my husband, myself and my son are long serving, valued, dedicated, loyal employees of Rio Tinto. The extent of my interest is that we are shareholders with shares exceeding the prescribed amount.
Cr Douglas Diver	Financial	The nature of my interest is that I am an employee of Rio Tinto. The extent of my interest is that I receive a salary from Rio Tinto.

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

The Presiding Member passed on her congratulations to the sworn in Councillors.

8. PETITIONS / DEPUTATIONS / PRESENTATIONS

8.1 PETITIONS

There were no petitions presented to Council.

8.2 DEPUTATIONS

Marian Hearne, Chief Executive Officer from the Tom Price Youth Support Association in regards to a community proposal that the Tom Price Youth Support Association would like to work with the Shire with respect to the Stand Up Against Bullying Campaign.

8.3 PRESENTATIONS

There were no presentations to Council.

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.1 ORDINARY MEETING OF COUNCIL HELD ON 21 SEPTEMBER 2017

Officers Recommendation and Council Decision

MOVED: Cr P Foster

SECONDED: Cr D Diver

That the Minutes of the Ordinary Meeting of Council held on 21 September 2017, as previously circulated on 29 September 2017, be confirmed as a true and accurate record.

CARRIED 8/0

Councillors White, Rumble, Dias, Thomas, Foster, Lynch, Gallanagh and Diver voted for the motion

10. AGENDA ITEMS ADOPTED "EN BLOC"

10.1 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."*

There were no En Bloc items for this meeting.

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11. OFFICE OF THE CEO REPORTS

11.1 PROGRESS OF IMPLEMENTATION OF COUNCIL DECISIONS STATUS REPORT FOR SEPTEMBER 2017

MINUTE: 242/2017

FILE REFERENCE:	GV04
AUTHOR'S NAME AND POSITION:	Michelle Lewis CEO & Councillor Support Officer
AUTHORISING OFFICER AND POSITION:	Dale Stewart Acting Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	4 October 2017
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Agenda Item 10.1 (Minute No. 11477) – Ordinary Meeting of Council 10 April 2013

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 by 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 & Economic Development, Community Development and Development & Regulatory Services.

ATTACHMENT 11.1

Consultation

Acting Chief Executive Officer
Executive Management Team

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Statutory Environment

Section 2.7 of the Local Government Act 1995 states:

“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

Not Applicable

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

Not Applicable

Voting Requirement

Simple Majority Required

Officers Recommendation and Council Decision

MOVED: Cr P Foster

SECONDED: Cr M Lynch

That Council receive the “Council Decisions Status Reports” for the month of September 2017 as per ATTACHMENT 11.1.

CARRIED 7/1

Councillors White, Rumble, Dias, Foster, Diver, Gallanagh and Lynch voted for the motion

Councillor Thomas voted against the motion

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11.2 USE OF COMMON SEAL AND ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTH OF SEPTEMBER 2017

MINUTE: 243/2017

FILE REFERENCE:	GV21 CM02
AUTHOR'S NAME AND POSITION:	Janyce Smith Executive Officer Sheree Selten Administration Assistant Planning
AUTHORISING OFFICER AND POSITION:	Dale Stewart Acting Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	26 July 2017
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 2017.

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 2017.

ATTACHMENT 11.2A

Comment

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

Consultation

Relevant officers as listed in the Attachment.

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Statutory Environment

Local Government Act 1995
Clause 9.3 of the Shire of Ashburton Town Planning Scheme No. 7
Delegated Authority Register 2016

Financial Implications

As outlined in Attachment 11.2.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027
Goal 5 – Inspiring Governance

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 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 D Diver

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 8/0
Councillors White, Rumble, Dias, Thomas, Foster, Diver, Gallanagh and Lynch
voted for the motion

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11.3 SCHEDULE OF ORDINARY MEETINGS OF COUNCIL FOR 2018

MINUTE: 244/2017

FILE REFERENCE:	GV04
AUTHOR'S NAME AND POSITION:	Janyce Smith Executive Officer
AUTHORISING OFFICER AND POSITION:	Dale Stewart Acting Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	10 October 2017
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Agenda Item 11.3 (Minute No: 53) – Ordinary Meeting of Council 25 October 2016

Summary

It is a requirement for Council to adopt the schedule of meeting dates, times and locations for all Ordinary Meetings of Council each year.

The following are submitted to Council for approval:

1. Schedule of Meeting, times and locations.
2. Commencement times for Elected Member Information Forums (EMIF).
3. Elected Member Information Forums "Carried Over" Compliance Items.

Background

In October 2016, Council adopted the meeting schedule for the entire 12 month period from January to December 2017.

This report sets out the proposed locations and commencement times of Council Meetings for the calendar year 2018.

Comment

In determining the dates, times and locations for the Ordinary Meeting of Council for the upcoming year, consideration has been given to a number of factors including travel and facilitation of Elected Member Information Forums (EMIF) with Councillors and Directors.

Suggested dates are outlined in the table below. If this proposal is adopted there will be four meetings in Onslow, four meetings in Tom Price, three meetings in Paraburdoo and one meeting in Pannawonica during the year.

To have consistency with operational requirements for preparing Council agenda it is suggested that meetings be held on the third Tuesday of the month. It is also suggested that the January 2018 meeting be scheduled for the fourth Tuesday (23 January 2018) and the

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December 2018 meeting be scheduled for the second Tuesday (11 December 2018) to best accommodate the Christmas and New Year period.

The proposed schedule is set out below.

DATE	LOCATION	TIME
Tuesday, 23 January 2018	Clem Thompson Sports Pavilion, Stadium Road, Tom Price	1:00 pm
Tuesday, 13 February 2018	Ashburton Hall, Ashburton Avenue, Paraburdoo	1:00 pm
Tuesday, 20 March 2018	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow	1:00 pm
Tuesday, 17 April 2018	Clem Thompson Sports Pavilion, Stadium Road, Tom Price	1:00 pm
Tuesday, 15 May 2018	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow	1:00 pm
Tuesday, 19 June 2018	Ashburton Hall, Ashburton Avenue, Paraburdoo	1:00 pm
Tuesday, 17 July 2018	Clem Thompson Sports Pavilion, Stadium Road, Tom Price	1:00 pm
Tuesday, 21 August 2018	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow	1:00 pm
Tuesday, 18 September 2018	Mayu Maya Centre / Barry Lang Centre, Pannawonica	1:00 pm
Tuesday, 26 October 2018	Clem Thompson Sports Pavilion, Stadium Road, Tom Price	1:00 pm
Tuesday, 20 November 2018	Ashburton Hall, Ashburton Avenue, Paraburdoo	1:00 pm
Tuesday, 11 December 2018	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow	1:00 pm

The Council Meeting Day also includes Elected Member Information Forums (EMIF's). The EMIF's are intended to provide a forum at which Elected Members:

- Can become fully informed on matters that will be considered by Council; and
- Can raise and discuss a broad range of matters of strategic and operational significance.

This will ensure that Councillors' time and expertise to deal with strategic issues is maximised on the Council Meeting days when all Councillors are together.

The EMIF's items of business are divided into four distinct sections:

- En Bloc Discussion
- EMIF Compliance Items
- EMIF Workshop/Presentation
- Councillor Reports on Contemporary Issues and Relevant Meetings Attended
- EMIF "Carried Over" Compliance Items

The proposed commencement times for EMIF's is set out below.

- Tom Price / Paraburdoo: 10.00 am (2 hours available including ½ hour for Agenda Review / En Bloc items / Opportunity to bring forward issues / CEO Discussion).

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- Onslow / Pannawonica: 11.00 am (1 hour available including ½ hour for Agenda Review / En Bloc items / Opportunity to bring forward issues / CEO Discussion).

Consultation

Acting Chief Executive Officer
Councillors

Statutory Environment

Local Government Act 1995, Section 5.3 requires Council to hold an Ordinary Meeting not more than three months apart.

Section 5.25(g) Local Government Act 1995 indicates regulations may be made concerning the giving of public notice of the date and agenda for council or committee meetings.

Local Government Admin Regulations 12 specifies the Date, Time and Venue of Ordinary Council Meetings for the next 12 months must be advertised once a year.

Financial Implications

Council sets aside sufficient funds in its budget to meet the cost of the advertisement and the associated Council meetings.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027
Goal 05 – Inspiring Governance
Objective 03 – Council Leadership

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.

Policy Implications

Council Policy ELM01 – Council and other meetings
Council Policy ELM09 – Elected Member Information Forums

Voting Requirement

Simple Majority Required

Council Decision

MOVED Cr P Foster

SECONDED Cr M Lynch

That Council suspend the Standing Orders at 1.59 pm.

CARRIED 8/0
Councillors White, Rumble, Dias, Thomas, Foster, Lynch, Diver and Gallanagh
voted for the motion

Cr Gallanagh left the meeting at 2.35 pm.

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Council Decision

MOVED: Cr L Rumble

SECONDED: Cr D Dias

That Council resume the Standing Orders at 2.35 pm.

CARRIED 7/0

Councillors White, Rumble, Dias, Thomas, Foster, Lynch and Diver voted for the motion

Cr Gallanagh entered the meeting at 2.37 pm.

Officers Recommendation and Council Decision

MOVED: Cr M Lynch

SECONDED: Cr M Gallanagh

That with respect to the schedule of Ordinary Meetings of Council for 2018, Council:

- 1. Adopt the Schedule of Ordinary Council Meeting dates, times and locations for the period January 2018 to December 2018 as outlined below.**

DATE	LOCATION	TIME
Tuesday, 16 January 2018	Clem Thompson Sports Pavilion, Stadium Road, Tom Price	1:00 pm
Tuesday, 13 February 2018	Ashburton Hall, Ashburton Avenue, Paraburdoo	1:00 pm
Tuesday, 13 March 2018	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow	1:00 pm
Monday, 23 April 2018	Clem Thompson Sports Pavilion, Stadium Road, Tom Price	1:00 pm
Tuesday, 22 May 2018	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow	1:00 pm
Tuesday, 19 June 2018	Ashburton Hall, Ashburton Avenue, Paraburdoo	1:00 pm
Wednesday, 18 July 2018	Clem Thompson Sports Pavilion, Stadium Road, Tom Price	1:00 pm
Tuesday, 14 August 2018	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow	1:00 pm
Wednesday, 19 September 2018	Mayu Maya Centre / Barry Lang Centre, Pannawonica	1:00 pm
Tuesday, 23 October 2018	Clem Thompson Sports Pavilion, Stadium Road, Tom Price	1:00 pm
Tuesday, 20 November 2018	Ashburton Hall, Ashburton Avenue, Paraburdoo	1:00 pm

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Tuesday, 18 December 2018	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow	1:00 pm
<p>2. Pursuant to section 5.25(g) of the Local Government Act 1995, give local public notice of the Schedule of Meeting dates, times and locations for the period January 2018 to December 2018.</p> <p>3. Approve the commencement times for the Council Meeting Day Elected Member Information Forums as set out below:</p> <ul style="list-style-type: none">• Tom Price and Paraburdoo: 10.00 am.• Onslow and Pannawonica: 11.00 am.		
<p style="text-align: right;">CARRIED 8/0</p> <p>Councillor White, Rumble, Dias, Thomas, Diver, Foster, Gallanagh and Lynch voted for the motion</p>		

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11.4 APPOINTMENT OF COUNCILLORS AND STAFF TO COMMITTEES

MINUTE: 245/2017

FILE REFERENCE:	GV04
AUTHOR'S NAME AND POSITION:	Janyce Smith Executive Officer
AUTHORISING OFFICER AND POSITION:	Dale Stewart Acting Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	11 October 2017
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Agenda Item 11.3 (Minute No: 12010) – Ordinary Meeting of Council 21 October 2015

Summary

Following the Election on the 21 October 2017, Council must establish any Committees or Working Groups of Council that it considers are required and consider appointing delegates to those and also nominating delegates to any external committees or organisation as it deems appropriate.

Background

Being the first Ordinary Meeting of Council following the General Local Government Elections on the 21 October 2017, Council is required to give consideration to appointing Councillors and staff members to various committees on which it is represented.

Attached to this Agenda is a list of the appointments made at the Ordinary Meeting of Council held on 21 October 2015 and the 25 October 2016.

ATTACHMENT 11.4A
ATTACHMENT 11.4B

Comment

Staff have reviewed the Committees, Working Groups and External Committees in an effort to ensure they are up to date and the various groups are detailed in the recommendation.

In respect to Deputies, it is suggested that Council appoint the Councillors who are not members to the Committee as Deputies so they are able to attend and participate in Committee meetings to ensure quorums.

Committees (eg Land Conservation Committees or Development Assessment Panels) where an appointment is for a particular term, and or where they relate to the delegate being appointed by an external agency, have also been included if the representative's term is current.

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Consultation

Acting Chief Executive Officer
Directors

Statutory Environment

Local Government Act 1995, Part 5 Subdivision 2, Sections 5.8 to 5.18
Local Government (Administration) Regulations 1996 – Regulation 4.

A local government may establish (by an absolute majority) committees of three or more persons to assist the Council and to exercise the powers and discharge the duties of the Council. Council may also nominate Councillors (or staff) to represent it on external committees such as those established by the State Government (e.g., Land Conservation District Committees).

A Council committee is to have as its member's persons appointed (absolute majority) by the local government to be members of the committee. At any given time each Councillor is entitled to be a member of at least one committee and if a Councillor nominates himself or herself to be a member of such a committee or committees, the local government is to include that Councillor in the persons appointed to at least one of those committees as the local government decides (section 5.10 Local Government Act 1995).

If at a meeting of the Council a local government is to make an appointment to a committee that has or will have a Councillor as a member and the President informs the local government of his or her wish to be a member of the committee, the local government is to appoint the President to be a member of the committee.

Where a person is appointed as a member of a committee the person's membership of the committee continues until:

- The person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;
- The person resigns from membership of the committee;
- The committee is disbanded; or
- The next ordinary election day, whichever happens first.

A committee member may resign from membership of the committee by giving the CEO or the committee's presiding member written notice of the resignation.

Financial Implications

There are no financial implications relevant to this appointment process, but expenses will be incurred to facilitate attendance at some of the listed meetings (e.g. airfares/accommodation to attend Pilbara Regional Council Meetings).

Secretariat services of the various Council Committees or Working Groups is detailed as being relevant to the relevant Directorate. That notwithstanding the Office of CEO, Executive Support will assist as required with minute taking and governance control processes as usual.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027
Goal 05 – Inspiring Governance
Objective 03 – Council Leadership

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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

Council Policy ELM01- Council and Other Meetings.

Voting Requirement

Absolute Majority Required

Council Decision

MOVED: Cr L Rumble

SECONDED: Cr M Gallanagh

That Council suspend the Standing Orders at 2.37 pm.

CARRIED 8/0

**Councillors White, Rumble, Dias, Thomas, Foster, Lynch, Diver and Gallanagh
voted for the motion**

Council Decision

MOVED: Cr L Rumble

SECONDED: Cr D Dias

That Council resume the Standing Orders at 2.48 pm.

CARRIED 8/0

**Councillors White, Rumble, Dias, Thomas, Foster, Lynch, Gallanagh and Diver
voted for the motion**

Officer Recommendation Council Decision

MOVED: Cr L Rumble

SECONDED: Cr P Foster

**That with respect to the appointment of Councillors and Staff to committees,
Council:**

- 1. Confirm that all previous appointments of Councillors and Staff to Shire of Ashburton Committees, and the Committees themselves, have expired.**
- 2. Establish the following Committees of Council and make the following appointments to those Committees:**

2.1 Aboriginal Reference Committee

Members: Crs Thomas, Foster, Rumble.

Deputies: All other Councillors.

Secretariat: Director Development and Regulatory Services or nominee.

Membership: 3 Councillors.

Quorum: 2 Councillors.

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Purpose: To develop a proposal for Council's consideration, including the suggested role and purpose, membership, meeting frequency and locations, and likely resourcing costs of operating an *Aboriginal Community Committee* and any possible long term budget expectations.

Meeting cycle: As required.

2.2 Ashburton Tourism Development Committee

Members: Crs Thomas, Diver, Lynch, Rumble, White, Gallanagh.

(Ideally one elected member from each ward)

Deputies: All other Councillors.

Secretariat: Director Strategic and Community Development or nominee.

Membership: 6 Councillors.

Quorum: 4 Councillors.

Purpose: To identify and develop strategies to promote tourism so there is a positive impact at the regional level. To advise Council on suggested actions the Council should consider to address relevant issues raised with and by the Committee.

Meeting cycle: As required.

2.3 Audit and Risk Committee

Members: Crs Foster, White, Dias, Dellar.

Deputies: All other Councillors.

Secretariat: Chief Executive Officer or nominee.

Membership: 4 Councillors.

Quorum: 3 Councillors.

Purpose: Under the Local Government Act 1995, Local Governments are required to appoint an Audit Committee (section 7.1A of the Local Government Act 1995).

- 1) Is to provide guidance and assistance to the local government —
 - (i) as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and
 - (ii) as to the development of a process to be used to select and appoint a person to be an auditor.
- 2) May provide guidance and assistance to the local government as to —
 - (i) matters to be audited; and
 - (ii) the scope of audits; and
 - (iii) its functions under Part 6 of the Act; and
 - (iv) the carrying out of its functions relating to other audits and other matters related to

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financial management (LG (Audit) Regulations, Regulation 16).

- 3) Is to review a report given to it by the CEO under Regulation 17.3 (the Regulations) and is to –
 - (i) Report to the Council the results of that review; and
 - (ii) Give a copy of the CEO's report to the Council.
- 4) Is to meet with the auditor at least once in every year (Section 7.12A of the Act).
- 5) Is to review the annual Department of Local Government Compliance Audit Return and report to Council the results of that review (Regulation R14 (3A)) of the Regulations).

Meeting cycle: At least once annually to recommend the adoption of the Annual Report.

2.4 Committee on Ageing

Members: Crs Thomas, Foster, White.

Deputies: All other Councillors.

Secretariat: Director Strategic and Community Development or nominee.

Membership: 3 Councillors.

Quorum: 2 Councillors.

Purpose: To recommend to Council actions regarding the provision of services for the Aged that can be considered for inclusion in the Shire's future Corporate Business Plans.

Meeting cycle: As required.

2.5 Paraburdoo Community Hub (CHUB) Committee

Members: Crs Lynch, Rumble, White.

Deputies: All other Councillors.

Secretariat: Director Strategic and Community Development or nominee.

Membership: 3 Councillors.

Quorum: 2 Councillors.

Purpose: The Committee is to undertake the task of overseeing the CHUB construction project and to make recommendations to Council as per the Roles and Responsibilities outlined in the continuing terms of reference.

Meeting cycle: As required.

2.6 Bush Fire Advisory Committee

Delegates: Cr Dias, Cr Diver, Director Development and Regulatory Services, Emergency Management Co-ordinator and Fire Control Officers. Other delegates and the quorum in accordance with the Bush Fire Policy ENG08.

NOTE: One of the Councillor representatives to be the chairperson.

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Secretariat: Director Development and Regulatory Services or nominee.
Purpose: As defined in the Bush Fire Policy ENG08 and the Bush Fires Act 1954.
Meeting Cycle: As required.

2.7 Onslow Local Emergency Management Committee

Delegates: Crs White, Dellar and Director Development and Regulatory Services and Emergency Management Co-ordinator.

Deputies: All other Councillors.

Secretariat: Director Development and Regulatory Services or nominee.

Membership: Shire of Ashburton – Emergency Management Co-ordinator (Presiding Person).

Other representation as per determination of the delegate Councillors and the Director Development and Regulatory Services.

Quorum: Pursuant to S38 (4) of the Emergency Management Act 2005.

Purpose: Pursuant to S39 of the Emergency Management Act 2005.

Meeting Cycle: As required.

2.8 Onslow Local Recovery Committee

Delegates: Crs White, Dellar and Director Development and Regulatory Services and Emergency Management Co-ordinator.

Deputies: All other Councillors.

Membership: Shire of Ashburton – Emergency Management Co-ordinator (Presiding Person).

Other representation as per determination of the delegate Councillors and the Director Development and Regulatory Services.

Quorum: Not applicable.

Purpose: Pursuant to S36 (b) of the Emergency Management Act 2005.

Meeting Cycle: As required.

2.9 Shire of Ashburton Inland Local Emergency Management Committee

Delegates: Crs Dias, Diver, Director Development and Regulatory Services and Emergency Management Co-ordinator.

Deputies: All other Councillors.

Secretariat: Director Development and Regulatory Services or nominee.

Membership: Shire of Ashburton – Emergency Management Co-ordinator (Presiding Person).

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Other representation as per determination of the delegate Councillors and the Director Development and Regulatory Services.

Quorum: Pursuant to S38 (4) of the Emergency Management Act 2005.

Purpose: Pursuant to S39 of the Emergency Management Act 2005.

Meeting Cycle: As required.

2.10 Shire of Ashburton Inland Local Recovery Committee

Delegates: Crs Dias, Diver, Director Development and Regulatory Services and Emergency Management Co-ordinator.

Deputies: All other Councillors.

Secretariat: Director Development and Regulatory Services or nominee.

Membership: Shire of Ashburton - Emergency Management Co-ordinator (Presiding Person).

Other representation as per determination of the delegate Councillors and the Director Development and Regulatory Services.

Quorum: Not applicable.

Purpose: Pursuant to S36 (b) of the Emergency Management Act 2005.

Meeting Cycle: As required.

2.11 Pannawonica Local Emergency Management Committee

Delegates: Cr Gallanagh and Director Development and Regulatory Services and Emergency Management Co-ordinator.

Deputies: All other Councillors.

Secretariat: Director Development and Regulatory Services or nominee.

Membership: Shire of Ashburton – Emergency Management Co-ordinator (Presiding Person).

Other representation as per determination of the delegate Councillors and the Director Development and Regulatory Services.

Quorum: Pursuant to S38 (4) of the Emergency Management Act 2005.

Purpose: Pursuant to S39 of the Emergency Management Act 2005.

Meeting Cycle: As required.

2.12 Pannawonica Local Recovery Committee

Delegates: Cr Gallanagh and Director Development and Regulatory Services and Emergency Management Co-ordinator.

Deputies: All other Councillors.

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Secretariat: Director Development and Regulatory Services or nominee.
Membership: Shire of Ashburton, Emergency Management Co-ordinator / Rio Tinto (Presiding Person).
Other representation as per determination of the delegate Councillors and the Director Development and Regulatory Services.
Quorum: Not applicable.
Purpose: Pursuant to S36 (b) of the Emergency Management Act 2005.
Meeting Cycle: As required.

3. Establish the following Working Groups of Council and make the following appointments to those Working Groups:

3.1 Partnership Governing Committee (Rio Tinto)

Delegates: Shire President (Presiding Person), Cr Rumble (Paraburdoo Ward Councillor), Cr Foster (Tom Price Ward Councillor), Chief Executive Officer, Director Strategic and Community Development, and Strategic Partnership Manager.
Secretariat: Director Strategic and Community Development or the nominee.
Membership: Rio Tinto Iron Ore representatives / Shire of Ashburton representatives.
Purpose: A Partnership, through a Memorandum of Understanding, between Rio Tinto and the Shire of Ashburton that sets out a shared vision with supporting strategies and defines specific roles and responsibilities in the delivery of community infrastructure and related services for the towns of Tom Price, Paraburdoo and Pannawonica.
Meeting Cycle: Two per year, or more if required.

3.2 Working Together Onslow (Chevron)

Delegates: Shire President, Director Strategic and Community Development, and Community Development Co-ordinator.
Secretariat: Director Strategic and Community Development or the nominee.
Membership: Three Chevron representatives / Three Shire of Ashburton representatives.
Purpose: Working Together Onslow (WTO) is a partnership between the Shire of Ashburton and Chevron for the town of Onslow.
Meeting Cycle: Every 3 months.

3.3 CEO Performance Review Panel

Members: Shire President, Cr Diver.
Deputies: Crs Rumble, Dellar.
Secretariat: External or one of the members.

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Purpose: Undertake reviews of the CEO's Performance and to make recommendations to Council as a result of those reviews as required.

Meeting Cycle: Anniversay of the CEO's contract and then biannually or as required.

3.4 Australia Day WA – Community Citizen of the Year Award Working Group Delegates: Shire President, Ward Councillors relevant to each townsite and the CEO or their delegate.

Secretariat: Director Strategic and Community Development or the nominee.

Purpose: To select recipients of the Community Citizen of the Year, Community Citizen of the Year (Senior), Community Citizen of the Year (Youth), and Active Citizenship (Group/Event) for each town.

Meeting Cycle: As required.

NOTE: Pursuant to policy REC09 Australia Day WA Community Citizen of the Year.

3.5 Onslow Senior Citizens Units Working Group

Members: Cr White (Onslow Ward Councillor, Presiding Person), Director Strategic and Community Development or the Officer's Delegate, Community Representative, Tenant from Carinya Units Representative, Tenant from Senior Citizen Units, and Department of Community – Housing Representative.

Deputies: All other Councillors.

Secretariat: Director Strategic and Community Development or the nominee.

Purpose: To form the function of a Management Committee to oversee the Carinya Senior Units pursuant to the Joint Venture Agreement.

To establish a sub-committee comprising a representative of the Dept of Housing and the Committee (Cr representative) to oversee allocation of tenants to the Carinya Senior Units.

To establish a sub-committee to oversee allocation of tenants to the Senior Citizens Units.

To appoint tenant or community representatives (Cr representative in conjunction with the Director).

To recommend to Council rents and future major maintenance.

Meeting Cycle: As required.

4. Nominate or appoint (as applicable) the following appointments to External Groups:

4.1 Pilbara Regional Council (PRC)

Delegates: Crs Foster, Cr White

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Deputies: Crs Rumble, Cr Diver
In the absence of the above Councillors all other Councillors.

Meeting Cycle: Every 2 months.

4.2 PRC Various Project Working Groups

Delegates: Officers, as per CEO nomination.

Meeting Cycle: As required.

4.3 Regional Road Group

Delegates: Crs Foster, Cr White.

Deputies: Crs Rumble, Cr Diver.

In the absence of the above Councillors all other Councillors

NOTE: As this meeting occurs on the same date as the Pilbara Regional Council meeting it's preferable the Delegates are the same.

Meeting Cycle: Every 2 months and coincides with PRC.

4.4 Regional Road Group - Technical Working Group

Delegates: Director, Infrastructure Services or nominee/s.

Meeting Cycle: As required.

4.5 Paraburdoo Community Advisory Group (Rio Tinto)

No Councillors were appointed as this group is defunct.

Delegates: Cr _____ (Paraburdoo Ward Councillor), Cr _____ (Paraburdoo Ward Councillor), and Strategic Partnership Manager.

Membership: Rio Tinto Iron Ore representatives / Shire of Ashburton representatives, representatives from key community organisations such as Primary School, Police, Hospital etc.

Meeting Cycle: Quarterly.

4.6 Onslow Community Garden Management Committee

Delegate: Cr White.

Delegate: Director Strategic and Community Development or the Officer's Delegate.

NOTE: The Council is entitled to nominate two delegates which may include an officer(s).

Meeting Cycle: To meet at least every three months (or more frequently if required).

4.7 Pilbara District Emergency Management Committee

Delegates: Emergency Management Coordinator and Director Development & Regulatory Services or nominee.

Deputy: Cr Diver

Meeting Cycle: As required.

4.8 Western Australian Local Government Association Pilbara Country Zone

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Delegates: Crs White, Foster.
Deputies: Crs Rumble, Diver.
In the absence of the above Councillors all other Councillors.
Meeting Cycle: As required.

NOTE: As this meeting occurs with the Pilbara Regional Council meeting it's preferable the Delegates and Deputies are the same.

4.9 Development Assessment Panels

Delegates: Cr Dias (expiring 26 July 2018).
Cr White (expiring 26 July 2018).
Deputies: Cr Foster (expiring 26 July 2018).
Cr Rumble (expiring 26 July 2018).
Meeting Cycle: As required.

4.10 Onslow Tourism and Progress Association

Delegate: Cr White.
Deputy: Director Strategic and Community Development or nominee.
Meeting Cycle: As required.

4.11 Ashburton Land Conservation District Committees (LCDC)

Delegate: Cr Dias expires 4 December 2018.
Meeting Cycle: As required.

4.12 Roebourne/Port Hedland Land Conservation District Committee (LCDC)

Delegate: Cr Thomas expires 31 January 2018.
Meeting Cycle: As required.

4.13 Lyndon Land Conservation District Committee (LCDC)

Delegate: Kimberly De Pledge (Yanrey Station) expiry date to be advised.
Meeting Cycle: As required.

4.14 Onslow Chamber of Commerce & Industry

Council felt that a delegate was not required at this time

Delegate: _____
Meeting Cycle: As required.

NOTE: Non voting unless the Council takes up membership of the Association and / or is elected to the Board.

4.15 Pilbara Inland Chamber of Commerce & Industry

Delegate: Cr Foster
Meeting Cycle: As required.

NOTE: Non voting unless the Council takes up membership of the Association and / or is elected to the Board.

CARRIED BY ABSOLUTE MAJORITY 8/0
Councillors White, Rumble, Dias, Thomas, Foster, Lynch, Gallanagh and Diver
voted for the motion

12. STRATEGIC AND COMMUNITY DEVELOPMENT REPORTS

Declaration of Interest

Prior to consideration of this Agenda Item

Anika Serer declared an impartiality interest

Cr Rumble declared an impartiality interest.

Cr Dias declared an impartiality interest.

Cr Foster declared an impartiality interest.

Cr Diver declared an impartiality interest.

Cr Dias declared an impartiality interest.

See item 6.2 for details of the interest declared.

RECORDED ON REGISTER

12.1 COMMUNITY SUPPORT GRANTS - ROUND 1, 2017/18 ANNUAL FINANCIAL YEAR

MINUTE: 246/2017

FILE REFERENCE:	GS01
AUTHOR'S NAME AND POSITION:	Dee Walkington Executive Assistant Strategic and Community Development
AUTHORISING OFFICER AND POSITION:	Anika Serer Director Strategic and Community Development
DATE REPORT WRITTEN:	31 August 2017
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial, proximity or impartiality interests in the proposal. The authorising officer is a financial member of the Tom Price Pony and Horse Club and therefore declares an impartiality interest.
PREVIOUS MEETING REFERENCE:	Agenda Item 12.1 (Minute No: 149/17) – Ordinary Meeting of Council 26 April 2017 Agenda Item 12.3 (Minute No: 34) – Ordinary Meeting of Council 27 September 2016 Agenda Item 12.1 (Minute No: 12103) - Ordinary Meeting of Council 21 June 2016

Summary

The Shire recently promoted and invited applications for Community Support Grants and Community Lease/Licence Grants. The submissions were specifically for Community Support Grants and Community Lease/Licence Grants as per *REC08 Community Donations, Sponsorship and Funding Policy*, with applications closing 31 August 2017

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Sixteen applications were received for Community Support Grants; in addition there was one application for a Signature Event and three submissions for the Community Lease/Licence grants.

These grants are provided as in-kind and / or financial assistance to enable community groups and clubs to deliver quality programs, community events and services, and to community groups and clubs holding community leases with lease compliance requirements identified.

Applications have been assessed and workshopped with Councillors via Emaccess.

Background

There are two funding rounds each year, one opening in July, closing August and one opening in February, closing in March. At the close of applications on 31 August 2017, sixteen Community Support Grant applications and three Community Lease/Licence Grant applications were received (several applications were also received after the deadline, or did not meet the requirements of the various grants and were declined in accordance with the REC08 policy).

No applications were received for Townsite Landscape/Community/Residential Garden Competition (Greening Ashburton).

Comment

The Community Support Grant funding and Community Lease/Licence funding was promoted directly to clubs and organisations via email, public notice boards, Inside Ashburton, Onslow Pipeline and the Shire of Ashburton (SOA) website.

Sixteen groups applied for grants in Round 1 of the Community Support Grants 2017/18 financial year.

COMMUNITY SUPPORT GRANTS – GENERAL ROUND

Name of Organisation	Event/Project	Cash \$	In-Kind \$	Total \$
ONSLOW				
Onslow Flying Club Inc.	Airside fencing and ground work	2,500.00	0.00	2,500.00
Onslow Volunteer Fire and Emergency Service (Onslow VFES)	To employ cleaner for the common area of the building	2,500.00	0.00	2,500.00
PANNAWONICA				
Pannawonica Kindergym	Purchase of soft gym play equipment for the 0 - 5 age group	2,438.54	0.00	2,438.54
Pannawonica Playgroup	Funding for the project Active Children.	2,500.00	0.00	2,500.00
PARABURDOO				
Paraburdoo Drive-In Inc.	Installation of outdoor speakers	2,500.00	0.00	2,500.00

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Paraburdoo Netball Association	Team Uniforms	2,500.00	0.00	2,500.00
The Lifestyle Centre	Gym equipment	2,500.00	0.00	2,500.00
Paraburdoo Tennis Club	Tennis Ball Machine	2,500.00	0.00	2,500.00
TOM PRICE				
Tom Price Women's Softball Association	To host 2017 Northwest Championships	2,500.00	0.00	2,500.00
Nameless Playgroup	To Cover the cost of Civic Centre fees for 12 months	0.00	2,500.00	2,500.00
North Tom Price Primary Parents and Citizens	The purchase of Ipads for each class to be completed by the end of 2017	2,500.00	0.00	2,500.00
Tom Price Touch Football Association	In-kind donation to cover the cost of the Clem Thompson oval hire fees for the 2017/18 season.	0.00	2,500.00	2,500.00
Tom Price Pony and Horse Club	Fencing and Round Yard	2,500.00	0.00	2,500.00
Fortescue Cricket Association	Cricket balls for the 2017/18 season	2,500.00	0.00	2,500.00
Nintirri Centre Inc.	To create toddler Outdoor Area	2,500.00	0.00	2,500.00
Mountain View Golf Club	Club beautification and community space	2,500.00	0.00	2,500.00
Total		34,938.54	5,000.00	39,938.54

There is \$75,000 available in the 17/18 budget for the annual Community Support Grant funding across the two rounds.

All Community Support Grants are assessed on criteria outlined in REC08. GENERAL CONDITIONS AND CRITERIA. The applicant is to reside or operate within the Shire of Ashburton, or be able to show a direct and substantial benefit to residents within the Shire of Ashburton and applications that are not connected with, and do not show direct benefit to, the Shire of Ashburton are unable to be considered. Late applications are not considered.

SIGNATURE EVENT – RECOMMENDATION FOR PAYMENT

Pannawonica Gala Association	Pannawonica Gala	5,000.00	0.00	5,000.00	113182
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The Pannawonica Gala Event is an identified 'Signature Event' and eligible to apply for up to \$5,000. The Pannawonica Gala Association has requested this funding to host a Summer Nights Vibe Festival.

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COMMUNITY LEASE/LICENCE GRANTS

There were three applications received under the Community Lease/Licence Grant Fund. An amount of \$125,000 is allocated in the 2017/18 budget for projects identified in the Implementation Plan for Risk Mitigation Works Required on Shire of Ashburton Reserves Leased to Community Groups report. This funding is intended to support community clubs and organisations to meet licence and compliance issues related to their leases with the Shire.

Name of Organisation	Donation Request
Tom Price Camp Draft	\$3,700.00
Tom Price Pony and Horse Club	\$15,000.00
Onslow Motorcycle and Enduro Club Inc.	\$85,202.00
Total	\$103,902.00

Consultation

Acting Chief Executive Officer

Shire of Ashburton Councillors

Director – Strategic and Community Development

Facility Manager - Community Development

Executive Assistant - Strategic and Community Development

Community Support Grants have been assessed and work shopped with Council via EMACCESS.

The donation allocations recommended by the panel are listed under the Officer Recommendation.

Statutory Environment

Local Government Act (1995) Section 6.7 (2).

Financial Implications

The following budget allocations are provided in the 17/18 budget:

Community Support Grants \$ 75,000

Signature Event (Pannawonica) \$ 5,000

Community Lease/Licence Grants \$125,000

Strategic Implications

Shire of Ashburton Strategic Community Plan 2017-2027

Goal 01 – Vibrant and Active Communities

Objective 02 – Sustainable services, clubs, associations and facilities

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.

Policy Implications

REC08 Community Donations, Grants and Funding Policy relates.

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Voting Requirement
Simple Majority Required

Officers Recommendation and Council Decision

MOVED: Cr P Foster

SECONDED: Cr M Lynch

Council Motion of Council Meeting of 21 September 2017

MOVED: Cr P Foster

SECONDED: Cr D Diver

That with respect to Community Support Grants, Signature Events and Community Lease / License Grants, Council:

1. **Approve the recommendations for Community Support Grant applications being allocated from account 081877 (Sponsorships and Grants) as listed below:**

Name of Organisation	Funding \$
ONSLow	
Flying Club Onslow Inc.	2,500.00
Onslow Volunteer Fire and Emergency Service	2,500.00
TOTAL	5,000.00
PANNAWONICA	
Pannawonica Kindergym	2,438.54
Pannawonica Playgroup	2,500.00
TOTAL	4,938.54
PARABURDOO	
Paraburdoo Drive-In Inc.	2,500.00
Paraburdoo Netball Association	2,500.00
The Lifestyle Centre	2,500.00
Paraburdoo Tennis Club	2,500.00
TOTAL	10,000.00
TOM PRICE	
Tom Price Womens Softball Association	1,250.00
Nameless Playgroup	1,250.00
North Tom Price Primary Parents and Citizens	1,250.00
Tom Price Touch Football Association	1,250.00
Tom Price Pony and Horse Club	1,250.00
Nintirri Centre Inc	1,250.00
Mountain View Golf Club	1,250.00
Fortescue Cricket Association	1,250.00
TOTAL	10,000.00
GRAND TOTAL	29,938.54

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2. Approve the recommendations for Community Lease / License Grants from account 11112230 as listed below:

Name of Organisation	Funding \$
Tom Price Camp Draft	3,700.00
Onslow Motorcycle and Enduro Club	85,202.00
Tom Price Pony and Horse Club	15,000.00
TOTAL	103,902.00

3. Approve additional Signature Events for 2017/18 from account 113182 (Pannawonica Special Projects/Regional Events), as listed below:

Name of Organisation	Funding \$
Pannawonica Gala Association	5,000.00
TOTAL	5,000.00

4. Request a review of the REC08 Community Donations Grants and Funding Policy prior to the next round being advertised.

Procedural Motion of Council Meeting of 21 September 2017

MOVED: Cr D Dias

SECONDED: Cr G Dellar

That agenda item 12.1 Community Support Grants – Round 1, 2017/18 Annual Financial Year and the resultant motion, lay on the table until the next Ordinary Meeting of Council to be held in October 2017 to enable a further EMACCESS Workshop prior.

CARRIED 9/0

Councillors White, Rumble, Dias, Dellar, Thomas, Foster, Lynch, Diver and Gallanagh voted for the motion

Officer Recommendation and Council Decision

MOVED: Cr L Rumble

SECONDED: Cr P Foster

That Council raise the item with respect to Agenda 12.1 from the September 2017 Ordinary Meeting of Council from the table.

CARRIED 7/1

Councillor White, Rumble, Dias, Lynch, Foster, Diver and Lynch voted for the motion

Cr Thomas voted against the motion

Officers Recommendation and Council Decision

MOVED: Cr P Foster

SECONDED: Cr M Lynch

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That the Council adopt the following amendments to the motion:

Amendment 1

That Part 5 be added as follows;

That the Council notes that the application received from the Tom Price Women's Softball Association is for an event that was held on the weekend of 30 September 2017 (ie retrospective), however the original submission was received prior to the funding round closing on 31 August 2017. The report to consider the grant applications was held over at the Ordinary Meeting of Council held on 21 September 2017, therefore this application will be considered.

Amendment 2

That Part 6 be added as follows;

That the Council notes that the 2017/18 budget for Lease/Licence Grants (\$125,000) has already been expended on works committed in 2016/17, and approves a variation of \$113,000 to be identified and allocated from savings in capital projects completed post 1 July 2017.

Amendment 3

Approve the variations to grants as detailed as follows:

Name of Organisation	Funding \$
ONSLow	
Flying Club Onslow Inc.	2,500.00
Onslow Volunteer Fire and Emergency Service	0.00
TOTAL	2,500.00
PANNAWONICA	
Pannawonica Kindergym	2,438.54
Pannawonica Playgroup	2,500.00
TOTAL	4,938.54
PARABURDOO	
Paraburdoo Drive-In Inc.	2,500.00
Paraburdoo Netball Association	0.00
The Lifestyle Centre	2,500.00
Paraburdoo Tennis Club	2,500.00
TOTAL	7,500.00
TOM PRICE	
Tom Price Womens Softball Association	2,500.00
Nameless Playgroup	0.00
North Tom Price Primary Parents and Citizens	2,500.00
Tom Price Touch Football Association	0.00
Tom Price Pony and Horse Club	2,500.00
Nintirri Centre Inc	2,500.00
Mountain View Golf Club	0.00

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Fortescue Cricket Association	0.00
TOTAL	10,000.00
GRAND TOTAL	29,938.54

Amendment 4

Pannawonica Gala Association Event be increased with a further \$7,500.00 from account 081877 (Community Support Grants) for a total amount of \$12,500.00 in the signature events for 2017/18 account 113182.

CARRIED 8/0

**Councillors White, Rumble, Dias, Thomas, Foster, Gallanagh, Lynch and Diver
voted for the motion**

The amended motion became the substantive motion which was put as follows;

That with respect to Community Support Grants, Council:

1. Approve the amended variations to Community Support Grants as follows:

Name of Organisation	Funding \$
ONSLow	
Flying Club Onslow Inc.	2,500.00
Onslow Volunteer Fire and Emergency Service	0.00
TOTAL	2,500.00
PANNAWONICA	
Pannawonica Kindergym	2,438.54
Pannawonica Playgroup	2,500.00
TOTAL	4,938.54
PARABURDOO	
Paraburdoo Drive-In Inc.	2,500.00
Paraburdoo Netball Association	0.00
The Lifestyle Centre	2,500.00
Paraburdoo Tennis Club	2,500.00
TOTAL	7,500.00
TOM PRICE	
Tom Price Womens Softball Association	2,500.00
Nameless Playgroup	0.00
North Tom Price Primary Parents and Citizens	2,500.00
Tom Price Touch Football Association	0.00
Tom Price Pony and Horse Club	2,500.00
Nintirri Centre Inc	2,500.00
Mountain View Golf Club	0.00
Fortescue Cricket Association	0.00
TOTAL	10,000.00

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GRAND TOTAL	24,938.54
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2. Approve the recommendations for Community Lease / License Grants from account 11112230 as listed below:

Name of Organisation	Funding \$
Tom Price Camp Draft	3,700.00
Onslow Motorcycle and Enduro Club	85,202.00
Tom Price Pony and Horse Club	15,000.00
TOTAL	103,902.00

3. Approve amended additional \$7,500 Signature Events for 2017/18 from account 081877 (Community Support Grants) to account 113182 (Pannawonica Special Projects/Regional Events), as listed below:

	Funding \$
Pannawonica Gala Association	12,500.00
TOTAL	12,500.00

4. Request a review of the REC08 Community Donations Grants and Funding Policy prior to the next round being advertised.
5. That the Council notes that the application received from the Tom Price Women's Softball Association is for an event that was held on the weekend of 30 September 2017 (ie retrospective), however the original submission was received prior to the funding round closing on 31 August 2017. The report to consider the grant applications was held over at the Ordinary Meeting of Council held on 21 September 2017, therefore this application will be considered.
6. That the Council notes that the 2017/18 budget for Lease/Licence Grants (\$125,000) has already been expended on works committed in 2016/17, and approves a variation of \$113,000 to be identified and allocated from savings in capital projects completed post 1 July 2017.

CARRIED 8/0

**Councillors White, Rumble, Dias, Thomas, Foster, Gallanagh, Lynch and Diver
voted for the motion**

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12.2 ONSLOW AIRPORT HANGAR FEES

MINUTE: 247/2017

FILE REFERENCE:	ONS.0016
AUTHOR'S NAME AND POSITION:	Janelle Fell Economic and Land Development Manager
AUTHORISING OFFICER AND POSITION:	Anika Serer Director Strategic and Community Development
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	10 October 2017
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Agenda Item 13.5 (Minute No: 189/2017) – Ordinary Meeting of Council 20 June 2017

Summary

In November 2016, Council endorsed the construction of an aircraft hangar at the Onslow Airport.

Construction is due to be completed mid-October 2017. To allow adhoc hire, it is requested Council endorse the inclusion of the hangar and heliport briefing room on the schedule of Fees & Charges for 2017/18.

The recommended Fees and Charges changes are presented for Council's consideration.

Background

The need for hangar space was identified in the Onslow Airport Master Plan to broaden the opportunity for the Airport to realise additional income as the transition to operation (from construction) continues at Chevron's Wheatstone project and broader economic opportunities present with the commissioning of the Onslow Marine Supply Base and proposed capital dredge of the Beadon Creek marine channel.

The hangar was advertised for lease in the recent 'Onslow Airport Precinct' Expression of Interest (EOI) campaign. As no expressions of interest were received for lease of the hangar, it is proposed the facility be made available for adhoc use through the schedule of Fees & Charges.

The heliport briefing room is required to carry out safety briefings, drug and alcohol testing, weighing, securing checks and life jacket provisions with/to passengers prior to boarding helicopters.

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Comment

If interest is received to commercially lease the premises and Council is supportive of the offer, this will take precedence over adhoc hire of the facilities.

Based on other regional airport fees and charges and a prior rental valuation assessment (circa \$150,000 per annum) the following concessional/competitive rate has been determined.

ONSLow AIRPORT				
Aircraft Hangar <i>*security and safety conditions apply</i>				
Hangar lease per sqm	Per day			\$3.00
Hangar lease per sqm	Per week			\$17.50
Bond				\$1,000.00
Key Bond				\$100.00
Briefing/Break Room <i>* security and safety conditions apply</i>				
Briefing/break room	Per hour			\$45.00
Briefing/break room	Per day			\$300.00
Bond				\$500.00
Key Bond				\$100.00
Briefing/break room <i>Contractual rate for contractors associated with onsite work programs</i>	Per week			\$450.00

Council endorsement is requested to apply these changes and approve use of the facilities for casual hire facilities.

Consultation

Airport Manager

Statutory Environment

The Local Government Act 1995, Section 6.16 (Imposition of fees and charges), 6.17 (Setting level of fees and charges) and 6.19 (Local government to give notice of fees and charges) relates.

Section 6.19 requires that the local government provides local public notice of proposed new fees and the date the new fee will be applied from. It is proposed the new fees be applied from date of effect of the advertisement.

Local Government Act 1995, Section 1.7 (Local public notice).

Financial Implications

It is expected the proposed charge will have minimal effect on the 2017/18 budget. However, this will be reviewed at Budget Review and necessary changes applied.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017 - 2027

Goal 04 – Quality Services and Infrastructure

Q1. Quality Public Infrastructure

Q2. Accessible and Safe Towns

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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

ELM10 – Financial Sustainability Policy. Council desires to provide on-going financial sustainability to provide appropriate services and infrastructure for the community now and into the future.

Voting Requirement

Absolute Majority Required

Officers Recommendation and Council Decision

MOVED: Cr P Foster

SECONDED: Cr M Lynch

That with respect to the Onslow Airport Aircraft Hangar Fees, Council:

- 1. Council adopts the charges as indicated in the table contained within the officers report, and**
- 2. Amend the 2017/18 Fees & Charges Schedule accordingly; and**
- 3. Authorise the Acting Chief Executive Officer to provide local public notice of the above fee which is to be imposed with effect from the date of advertisement.**

**CARRIED BY ABSOLUTE MAJORITY 8/0
Councillors White, Rumble, Dias, Foster, Lynch, Thomas, Gallanagh and Diver
voted for the motion**

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12.3 ONSLOW BUSINESS HOUSE AND BEACH HOUSE - AMENDMENT OF FEES AND CHARGES

MINUTE: 248/2017

FILE REFERENCE:	RC39509 FIR.0007
AUTHOR'S NAME AND POSITION:	Janelle Fell Economic and Land Development Manager
AUTHORISING OFFICER AND POSITION:	Anika Serer Director Strategic and Community Development
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	10 October 2017
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Agenda Item 13.5 (Minute No: 189/2017) – Ordinary Meeting of Council 20 June 2017

Summary

With Shire Officers no longer utilising the Business House at 82 Second Avenue or the Beach House at 7 First Avenue Onslow, and minimal interest in commercial leasing of the properties, it is proposed the properties be included on the schedule of Fees & Charges for 2017/18 to continue Council's commitment to assist the community and local businesses.

The recommended Fees and Charges changes are presented for Council's consideration.

Background

Prior to Shire Officers utilising the Business House and Beach House due to the Onslow Shire Administration building destruction in 2013, these properties were available for lease/hire.

The Business House is located on 2464m² lot at 82 Second Avenue and comprises a fully air-conditioned five room premises including kitchen, bathroom and toilet with wheelchair ramp access. The partially fenced yard includes a lockable shed with on-site parking provision. The lot is a Crown reserve managed by the Shire of Ashburton. The zoning is "Public Purposes" and reserve purpose "Community Centre".

The Beach House, located at 7 First Avenue, is approximately 125m² office space on a 931m² lot and consists of fully air-conditioned offices (five), reception area, kitchen, lunchroom and amenities. The landscaped yard is fenced and encloses a patio and secure storage shed with on-site parking provision. The lot is owned freehold by the Shire of Ashburton, is zoned "Commercial and Civic" and has planning approval for Office use.

Both properties have been advertised for long-term commercial lease with minimal interest shown. However, interest has been expressed from community groups for adhoc use.

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Comment

It is proposed the Business House and Beach House be available to hire 7 days a week. Standard Cancellation and Cleaning Charges as per the Schedule of Fees & Charges will apply where warranted. For consecutive bookings of more than 5 days/nights (24 hour period) a 50% discount will be applied.

If interest is received to commercially lease the premises and Council is supportive of the offer, this will take precedence over hire of the properties.

ONSLow GENERAL CHARGES				
Business House				
Commercial/Business Functions – Whole House Per Day	Per day			\$250.00
Commercial/Business Functions – Whole House Per Hour	Per hour			\$35.00
Commercial/Business Functions – Per Room Per Day	Per day			\$150.00
Commercial/Business Functions – Per Room Per Hour	Per hour			\$20.00
Charitable/Community & Sports Groups – Whole House per Day	Per day			\$200.00
Charitable/Community & Sports Groups – Whole House Per Hour	Per hour			\$25.00
Charitable/Community & Sports Groups – Per Room Per Day	Per day			\$100.00
Charitable/Community & Sports Groups – Per Room Per Hour	Per hour			\$10.00
Bond – with Alcohol	-			\$1,000.00
Bond – without Alcohol	-			\$500.00
Key Bond				\$100.00
<i>Note: A 50% Discount is applicable on all above venue hire charges for any junior organisation (non for profit) - booking must be specifically for children 17 years and under.</i>				
<i>Note: For All Day and All Night bookings If booking for more than 5 consecutive days/nights (24hr period) 50% discount will be applied</i>				
Beach House				
Commercial/Business Functions – Whole House Per Day	Per day			\$250.00
Commercial/Business Functions – Whole House Per Hour	Per hour			\$35.00
Commercial/Business Functions – Per Room Per Day	Per day			\$150.00
Commercial/Business Functions – Per Room Per Hour	Per hour			\$20.00
Charitable/Community & Sports Groups – Whole House per Day	Per day			\$200.00
Charitable/Community & Sports Groups – Whole House Per Hour	Per hour			\$25.00
Charitable/Community & Sports Groups – Per Room Per Day	Per day			\$100.00
Charitable/Community & Sports Groups – Per Room Per Hour	Per hour			\$10.00
Commercial/Business Functions – Day	Per day			\$250.00

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Commercial/Business Functions – Day	Per hour			\$35.00
Charitable/Community & Sports Groups – Day	Per day			\$200.00
Charitable/Community & Sports Groups – Day	Per hour			\$25.00
Bond – with Alcohol	-			\$1,000.00
Bond – without Alcohol	-			\$500.00
	Key Bond			\$100.00
<i>Note: A 50% Discount is applicable on all above venue hire charges for any junior organisation (non for profit) - booking must be specifically for children 17 years and under.</i>				
<i>Note: For All Day and All Night bookings If booking for more than 5 consecutive days/nights (24hr period) 50% discount will be applied</i>				

Council endorsement is requested to apply these changes and approve use of the properties for casual hire purposes.

Consultation

Facilities Manager

Statutory Environment

The Local Government Act 1995, Section 6.16 (Imposition of fees and charges), 6.17 (Setting level of fees and charges) and 6.19 (Local government to give notice of fees and charges) relates.

Section 6.19 requires that the local government provides local public notice of proposed new fees and the date the new fee will be applied from. It is proposed the new fee be applied from the date of advertisement.

Local Government Act 1995, Section 1.7 (Local public notice).

The Business House is located on Reserve 39509 is zoned “Public Purposes” and managed by the Shire of Ashburton for the purpose of “Community Centre”. Shire Officer discretion when hiring the property will be undertaken to ensure the hire use is in line with the reserve purpose.

Financial Implications

It is expected the proposed charge will have minimal effect on the 2017/18 budget due to the low amount of revenue predicted therefore, no amendment will be required. This will be reviewed at Budget Review and amendments made if necessary.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017 - 2027

Goal 01 – Vibrant and Active Communities

V1. Connected, Caring and Engaged Communities

V2. Sustainable Services, Clubs, Associations and Facilities

Goal 02 – Economic Prosperity

E1. Strong Local Economies

Goal 01 – Quality Services and Infrastructure

Q1. Quality Public Infrastructure

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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

ELM10 – Financial Sustainability Policy. Council desires to provide on-going financial sustainability to provide appropriate services and infrastructure for the community now and into the future.

Voting Requirement

Absolute Majority Required

Officers Recommendation and Council Decision

MOVED: Cr L Rumble

SECONDED: Cr P Foster

That with respect to the Onslow Business House and Beach House - Fees and Charges Council;

- 1. Adopt the charges as indicated in the table contained within the officer report; and**
- 2. Amend the 2017/18 Fees & Charges Schedule accordingly; and**
- 3. Authorise the Acting Chief Executive Officer to provide local public notice of the above fees with effect from the date of that notice.**

CARRIED BY ABSOLUTE MAJORITY 8/0
Councillors White, Rumble, Dias, Thomas, Gallanagh, Lynch, Diver and Foster
voted for the motion

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Declaration of Interest

Prior to consideration of this Agenda Item:

Cr Foster declared an impartiality interest.

See item 6.2 for details of the interest declared.

RECORDED ON REGISTER GV07

12.4 STAND UP! AGAINST BULLYING CAMPAIGN

MINUTE: 249/2017

FILE REFERENCE:	CS13
AUTHOR'S NAME AND POSITION:	Amber Stevenson Manager Community Services, Tom Price and Paraburdoo
AUTHORISING OFFICER AND POSITION:	Anika Serer Director Strategic and Community Development
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	3 October 2017
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 of Ashburton has been approached by the Tom Price Youth Support Association (TPYSA) to support the 'Stand Up! Against Bullying Campaign' currently being enacted to try and address rising levels of bullying amongst our youth and currently reported as widespread across the Tom Price and Paraburdoo communities.

This agenda item seeks Council's approval to support the Stand Up! Against Bullying Campaign by way of signing of the Memorandum of Understanding and absorption of associated costs into the 2017/2018 budget as a capital expenditure item covering the installation costs of campaign signage.

Background

What is the Stand Up! Against Bullying Campaign?

The TPYSA is a not for profit community organisation which has been providing holistic support services to youth and the wider community for over 30 years in the Tom Price and Paraburdoo communities.

The TPYSA's close connections to youth via their drop-in centres in Tom Price and Paraburdoo provide them the opportunity to observe youth behaviours. They are extremely

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concerned at the high level of bullying that is occurring with the communities at present and in their opinion appears to be almost epidemic.

While it has been recognised that local schools have addressed bullying within the school environment, and areas controlled and under constant adult supervision can have influence on reducing bullying behaviors, there have been several youth 'hotspots' identified in public, unsupervised spaces where bullying behaviours are posing a threat to the safety of many young people using these spaces and facilities.

In response to this rise in bullying behaviours, the TPYSA has created the Stand Up! Against Bullying Campaign aimed at raising awareness, promoting conversation and strengthening the resolve of local youth to speak-up if they feel supported through recognition of the problem.

As an organisation, the TPYSA recognise their limitations in addressing this issue in isolation and believe to initiate a successful strategy a key stakeholder cooperative is essential.

The Shire of Ashburton has been identified as a key stakeholder and support has been requested via agreement to commit to the project and provide in-kind contribution to fund the installation and on-going maintenance of campaign signage at identified youth hot spots in the Tom Price and Paraburdoo communities located on Shire-managed property and facilities.

Stand Up! Against Bullying Campaign – Project Outline

Through the campaign, the project is aiming to achieve the following via two distinct phases;

- Provide community leadership in addressing bullying and other negative behaviours and achieve safe and connected environments for young people
- Change attitudes about bullying and related issues, and increase awareness of the harm it causes to individuals and our community
- Build the capacity, knowledge and skill base of a range of sectors to enable them to address the issues of bullying and wellbeing together.

Phase 1

Branding and Community Promotional Campaign

(Including the installation of campaign signage at identified youth hot spots in the Tom Price and Paraburdoo Communities)

Objective

To make the anti-bullying message highly visible and in doing so will;

- Raise the issue and focus on the current prevalence of bullying
- De-stigmatise the behavior
- Create community awareness
- Promote the anti-bullying message and be a constant reminder in many of the identified hot spots where bullying currently occurs.
- Create a community wave against bullying that is consistent and repetitive in places where youth gather

PHASE 1 KEY STAKEHOLDERS IDENTIFIED

Youth Specific

- Tom Price and Paraburdoo Primary and High Schools
- Tom Price Youth Support Association

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Community

- Rio Tinto
- Shire of Ashburton
- Tom Price and Paraburdoo Police Service
- Department of Child Protection

Phase 2

Youth Education and Training

OBJECTIVE

To build the capacity of local youth to stand-up to bullying through a mentoring/ ambassador program which trains them to respond to other youth who are being bullied.

PHASE 2 KEY STAKEHOLDERS

- Tom Price and Paraburdoo Primary and High Schools
- Tom Price Youth Support Association

STAND UP! AGAINST BULLYING AND THE SHIRE OF ASHBURTON

PHASE 1 SUPPORT REQUESTED BY THE TPYSA

1. Shire of Ashburton requested to sign the agreement to participate as a key stakeholder in support of the campaign

ATTACHMENT 12.4A

2. Shire of Ashburton requested to sign the Memorandum of Understanding in support of the campaign through on-going commitment and in-kind contribution.

ATTACHMENT 12.4B

IN-KIND CONTRIBUTION REQUESTED OF THE SHIRE OF ASHBURTON

To fund the installation and on-going maintenance of campaign signage at identified youth hot spots in the Tom Price and Paraburdoo communities located on Shire-managed property and facilities.

The TPYSA have designed the Stand Up! Against Bullying Campaign logo and will cover the cost of the production of the required signage to be installed around the Tom Price and Paraburdoo communities.

ATTACHMENT 12.4C

The TPYSA intend to gift the signage to the Shire of Ashburton with the intent that the Shire will cover the installation and ongoing maintenance costs associated with the signage on Shire-managed property and facilities. The signs provided by the TPYSA will be a combination of two sizes; 1m by 1m and a smaller option around half the size.

Other identified and committed stakeholders will submit independent planning applications to the Shire of Ashburton to install campaign signage on their premises – at their own cost.

Identified Hot Spots For Campaign Signage Installation Via Stakeholder – Shire Of Ashburton

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Tom Price

PUBLIC SPACE/ SHIRE FACILITY	SIGN SIZE REQUESTED	LOCATION/ FIXTURE
Skate Park (Critical)	1m x 1m	Freestanding
Vic Hayton Memorial Swimming Pool	.5m x .5m (or similar)	Affixed to wall – canteen
Lions Park	.5m x .5m (or similar)	Affixed to fence
Basketball Courts	1m x 1m	Affixed to fence
Library	.5m x .5m (or similar)	Affixed to wall – front entry
Tijuana Oval	.5m x .5m (or similar)	Affixed to wall – club rooms or oval entry
Minha Oval	1m x 1m Ablution building .5m x .5m (or similar)	Shade Structure adjacent to ablution
Clem Thompson Oval	.5m x .5m (or similar)	Affixed to wall or area of prominence

PARABURDOO (CURRENT)

PUBLIC SPACE/ SHIRE FACILITY	SIGN SIZE	LOCATION/ FIXTURE
Skate Park (Critical)	1m x 1m	Freestanding
Town centre bus stop/ bike rack (x2)	.5m x .5m (or similar)	Affixed to wall
Town centre/ toilet area	.5m x .5m (or similar)	Affixed to wall or area of prominence
Basketball Courts	1m x 1m	Affixed to fence
Library building	.5m x .5m (or similar)	Affixed to wall – front entry/ notice board area
Train Park	.5m x .5m (or similar)	Affixed to fence

PARABURDOO (FUTURE)

Once completion of current construction projects have concluded

- Community Hub Precinct
- Quentin Broad Swimming Pool
- Cricket Nets

COMMUNITY CONSULTATION

On 21 September 2017 the TPYSA held a community stakeholder meeting in Tom Price to bring to everyone's attention the current situation on the rise of bullying and the subsequent community campaign devised to address the issue.

Shire of Ashburton representatives were in attendance at this forum.

The TPYSA intends to hold a community forum to address this issue and request community support from key stakeholders for the campaign in the Paraburdoo Community in the coming weeks.

Comment

Estimated costs associated with participation -

- Tom Price Signage Installation - \$2500.00 (ex GST)
- Paraburdoo Signage Installation - \$2200.00 (ex GST)

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Note the above costs are based on installation of signage as per identified and listed 'hot spot' locations in the Tom Price and Paraburdoo communities.

As it has been indicated during initial consultation that the signage installation may meet conditions to satisfy a Scheme or Public Works exemption, planning approval costs have not been factored into project cost estimation.

On-going maintenance costs will have to be factored into annual budget preparations.

Should Council not contribute funds to the installation, TPYSA will seek sponsorship as an alternative to cover the costs.

Consultation

Director Strategic and Community Development
Director Development and Regulatory Services
Manager – Community Services
Manager – Facilities
Town Planning
CEO – Tom Price Youth Support Association

Statutory Environment

Shire of Ashburton Local Planning Scheme No.7
Planning & Development Act 2005

Financial Implications

There is no specific budget allocation for this expenditure.

Whereas the existing facilities and Library maintenance budgets can cover the fence and wall mounted signage installation fee \$1120.00.

For the freestanding 1m x 1m signs requested for the Tom Price and Paraburdoo Skate Parks, funds have been identified in Community Services – Openings and Shire Entertainment/Activity Contribution which could potentially be utilised to cover the estimated installation costs and project contingency totaling \$3580.00.

The financial implication from drawing from these funds would be minor and would alter slightly the scale of the touring show or performance in which the funds were originally intended.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022

Goal 01– Vibrant and Active Communities

Objective 01 – Connected, Caring and Engaged Communities

Goal 01 – Vibrant and Active Communities

Objective 03 – Quality education, healthcare, childcare, aged care and youth services

Goal 4 – Quality Services and Infrastructure

Objective 2 – Accessible and safe towns

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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

LPP03 – Advertising Signs

Voting Requirement

Simple Majority Required

Officers Recommendation

That with respect to the 'Stand Up! Against Bullying' campaign, Council:

1. Agree to the signing of the Stand Up! Against Bullying campaign Memorandum of Understanding with the Tom Price Youth Support Association; and
2. Agree to cover the associated costs around campaign signage; installation and on-going maintenance of campaign signage, with a review clause, three years from commencement.

Council Decision

MOVED: Cr D Diver

SECONDED: Cr M Lynch

That with respect to the 'Stand Up! Against Bullying' campaign, Council:

1. **Agree to the signing of the Stand Up! Against Bullying campaign Memorandum of Understanding with the Tom Price Youth Support Association; and**
2. **Agree to cover the associated costs around installing and on-going maintenance of campaign signage, with a review clause, three years from commencement.**

CARRIED 8/0

**Councillors White, Rumble, Dias, Thomas, Foster, Lynch, Diver and Gallanagh
voted for the motion**

Reason for Change

The Council wished it to be made clear that the costs of acquisition of the signage was being met by the proponents.

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13. CORPORATE SERVICES REPORTS

13.1 MONTHLY FINANCIALS AND SCHEDULE OF ACCOUNTS PAID

MINUTE: 250/2017

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:	11 October 2017
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

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 September are presented with comments on variances, actuals to 2017/18 budget amounts. A Capex tracker is presented and a Budget Amendment Register introduced to inform Council of adopted budget amendments year to date.

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.

Comment

At its meeting held on Wednesday 30 August 2017, Council adopted the 2017/18 Budget.

For September rate notices were issued and invoices for the Pilbara Underground Power Project (PUPP) included in postage for Onslow residents. Posting of the 2016/17 revaluation figures for Land and Buildings, as required by Local Government (Financial Management) Regulation 17A (2), has been completed together with the required 2016/17 end of year processes. Subsequently submission to Moore Stephens of the 2016/17 Annual Financial Statements has been completed and until such time as the audit is finalized in November depreciation expense will not be posted in the 2017/18 accounts.

Actual capital expenditure for 2017/18 remains favourable to budget due to timing issues of projects. The notes in the 'Report on Significant Variances' identify and provide further commentary on the material variances for each of these at program level.

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It is recommended that the following amendments to the 2017/18 Budget be approved:

GL/Job No.	General Ledger Description	Current Budget	Variation Amount	Revised Budget	Reason
15204	Unsealed Rural Road Re-sheeting Program	1,500,000	(60,000)	1,440,000	Intended re-sheeting program for 17/18 can still be achieved \$1.44m budget.
C1611	Stadium Road Upgrade - Tom Price	756,124	60,000	816,124	Increase landscaping and irrigation scope of works not initially planned for.
18057	Paraburdoo Cricket Nets Resurface	0	17,500	17,500	New project that needs to be undertaken and not approved in Capex planning.
18025	Tom Price Netball and Basketball Courts Re-surface	30,000	80,000	110,000	Original project scope didn't assess accurately the level of works and materials required.
092271	Projects to be Identified	310,000	(97,500)	212,500	Unallocated funds available for re-allocation to underfunded and new projects.
111223	Donations to Community Groups	125,000	125,000	250,000	To cater for Onslow Rodeo clean-up erroneously not carried forward from 16/17.
17021	Onslow Solar Lights Repairs	14,250	(14,250)	0	Completed Project. Carried forward and costed to 2016/17.
C069	Onslow Wireless PA System	40,000	(40,000)	0	Completed Project. Carried forward and costed to 2016/17.
17022	Paraburdoo Quentin Broad Swimming Pool – Wet Deck Repairs	25,330	(25,330)	0	Completed Project. Carried forward and costed to 2016/17.
C1607	Tom Price Vic Hayton Swimming Pool Lightning Protection Works	37,111	(23,179)	13,932	Completed Project. Carried forward and costed to 2016/17.

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17002	Tom Price Vic Hayton Swimming Pool retiling raised beams	22,241	(22,241)	0	Completed Project. Carried forward and costed to 2016/17.
EVI80	Dept. of Child Protection Services Contrib. Income	(89,078)	(7,168)	(96,246)	DPS confirmed increase to Grant in only the last few weeks.
080062	Community Services (West) General Programs	89,078	74,695	163,773	Grant Provision unrestricted as at 30 June 2017. Provision required for new V Swans proposal. 2016/17
039113	Interest on Investments	(57,404)	(100,000)	(157,404)	Increase earnings to match 16/17 level.
039114	Interest on Reserves	(844,000)	32,473	(811,527)	To match forecast earnings based on rates of return and level of funds invested.
140135	Sal. & Super (Infra Asset Management)	511,540	(247,054)	264,486	Org. restructure requires re-allocation of employee costs
044000	Sal. & Super (Financial Asset Management)	0	247,054	247,054	See above

Consultation

Acting Chief Executive Officer
 Director Corporate Services
 Executive Management Team
 Management Reporting Coordinator
 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 –

(b) Is authorized 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.

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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.

The predominant strategic financial risk that the Council still faces is the pending formal objection to the valuation on the Wheatstone Plant, Assessment No 51628 which has an unimproved valuation of \$17,593,500 and rates levied for 2017/18 of \$6,728,933.

To mitigate any risk with this formal objection that may lead to an SAT appeal, the Council retains a cash backed Financial Risk Reserve with a forecast balance at the end of the financial year (subject to no adverse appeals) of \$6.5 Million. 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 \$5 Million of current year and a comparable amount to future revenues.

Council will not know the result of this appeal until probably the end of the calendar year 2017.

Policy Implications

There are no policy implications for this matter.

Voting Requirement

Absolute Majority Required

Officers Recommendation and Council Decision

MOVED: Cr M Lynch

SECONDED: Cr D Diver

That with respect to the Monthly Financial Report Council:

- 1. Receive the Financial Reports for September 2017 ATTACHMENT 13.1A; and**
- 2. Receive the Capital Expenditures Progress Tracker for September 2017 per ATTACHMENT 13.1B; and**
- 3. Receive the Budget Amendment Register ATTACHMENT 13.1C; and**
- 4. Receive the Schedule of Accounts and Credit Card paid in September 2017 as approved by the Chief Executive Officer in accordance with delegation DA03-1 Payments from Municipal Fund and Trust Funds as per ATTACHMENT 13.1D; and**
- 5. Receive the Reconciliation Report for September 2017 ATTACHMENT 13.1E; and**
- 6. Approve budget variations for the 2017/18 Budget as outlined below:**
 - a) Increase Expenditure Account C1611, Stadium Road Upgrade - Tom Price by \$60,000 from \$756,124 to \$816,124 and;**

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- b) Decrease Expenditure Account 15204, Unsealed Rural Road Re-Sheeting Program Cost by \$60,000 from \$1,500,000 to \$1,440,000; and**
- c) Increase Expenditure Account 18057, Paraburdoo Cricket Nets Re-surface by \$17,500 from \$0 to \$17,500; and**
- d) Increase Expenditure Account 18025, Tom Price Netball and Basketball Courts Re-Surface by \$80,000 from \$30,000 to \$110,000; and**
- e) Decrease Expenditure Account 092271, Projects to be Identified by \$97,500 from \$310,000 to \$212,500; and**
- f) Increase Expenditure Account 111223, Donations to Community Groups by \$125,000 from \$125,000 to \$250,000; and**
- g) Decrease Expenditure Account 17021, Onslow Solar Light Repairs by \$14,250 from \$14,250 to \$0; and**
- h) Decrease Expenditure Account C069, Onslow Wireless PA System by \$40,000 from \$40,000 to \$0; and**
- i) Decrease Expenditure Account 17022, Paraburdoo Quentin Broad Swimming Pool – Wet Deck Repairs by \$25,330 from \$25,330 to \$0; and**
- j) Decrease Expenditure Account C1607, Tom Price Vic Hayton Swimming Pool Lightning Protection Works by \$23,179 from \$37,111 to \$13,932; and**
- k) Decrease Expenditure Account 17002, Tom Price Vic Hayton Swimming Pool retiling raised beams by \$22,241 from \$22,241 to \$0; and**
- l) Increase Income Account EVI80, Department of Child Protection Services Income by \$7,168 from \$89,078 to \$96,246; and**
- m) Increase Expenditure Account 080062, Community Services (West) General Programs by \$74,695 from \$89,078 to \$163,773; and**
- n) Increase Income Account 039113, Interest on Investments by \$100,000 from \$57,404 to \$157,404; and**
- o) Decrease Income Account 039114, Interest on Reserves by \$32,473 from \$844,000 to \$811,527; and**
- p) Decrease Expense Account 104135, Salaries & Superannuation (Infra. Asset Management) by \$247,054 from \$511,540 to \$264,486; and**
- q) Increase Expense Account 044000, Salaries & Superannuation (Financial Asset Management) by \$247,054 from \$0 to \$247,054; and**
- r) Note that the Budgeted Surplus position carried forward (net current assets position) forecast as at 30 June 2018, remains at \$1,500,000.**

**CARRIED BY ABSOLUTE MAJORITY 8/0
Councillors White, Rumble, Dias, Thomas, Foster, Diver, Lynch and Gallanagh
voted for the motion**

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13.2 FIN20 RELATED PARTY DISCLOSURES

MINUTE: 251/2017

FILE REFERENCE:	GV20
AUTHOR'S NAME AND POSITION:	John Bingham Director Corporate Services
AUTHORISING OFFICER AND POSITION:	Dale Stewart Acting Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	11 July 2017
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

Section 2.7(2) (b) of the Local Government Act 1995 ("the Act") states that the making of policy is a role of the Council. Policies provide clarity, ownership, and accountability to the Ashburton community and for the staff of the Shire.

A new policy FIN20 – "Related Party Disclosures" has been introduced to ensure the Shire's financial statements contain related party disclosures in line with the requirements of Australian Accounting Standard Board (AASB) 124 - Related Party Disclosures.

Background

Effective for reporting periods beginning on or after 1 July 2016, local governments must disclose certain related party relationships and related party transactions together with information associated with those transactions in its annual financial report in order to comply with AASB 124 Related Party Disclosures (AASB 124).

This is a requirement specified by the Australian Accounting Standard and is different from the Disclosure of Interest and Gift and Travel Disclosure requirements that are imposed under the Local Government Act 1995 and associated Regulations.

Comment

The objective is to ensure that local government financial statements contain the disclosures necessary to draw attention to the possibility that its financial position may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

In the case of Local Government a person or a close member of that persons family is related if they have significant influence over the Shire or they are a member of the key management personnel of the Shire i.e. typically Councillors and Directors. Related party transactions is restricted to transactions with the Shire of Ashburton and includes income

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It is important to note that AASB 124 is not designed to detect and report fraud or misconduct. It is more so to enhance transparency and accountability of Council transactions. This view is reiterated in AASB's April 2017 Agenda Decision that the purpose of AASB 124 is not for assessing governance or probity issues.

ATTACHMENT 13.2

Consultation

Acting Chief Executive Officer
Finance Manager

Statutory Environment

Regulation 5A of the Local Government (Financial Management) Regulations 1996:

5A. Local governments to comply with AAS.

Subject to regulation 4, the annual budget, annual financial report and other financial reports of a local government must comply with the AAS.

Financial Implications

The policy is for the purposes of disclosure and therefore there are no financial or budgetary implications.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027

Goal 5 – Inspiring Governance

Objective 3 – Council Leadership

Objective 4 – Exemplary Team and Work Environment

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", can be managed by routine procedures, and are unlikely to need specific application of resources.

Policy Implications

The new policy if approved will be updated in the Policy Register and be effective from the date of Council adoption.

Voting Requirement

Simple Majority Required

Officers Recommendation and Council Decision

MOVED: Cr P Foster

SECONDED: Cr D Diver

That Council adopts the proposed new FIN20 Related Party Disclosures Policy per ATTACHMENT 13.2.

CARRIED 8/0

Councillors White, Rumble, Dias, Foster, Diver, Gallanagh and Lynch and Thomas voted for the motion

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13.3 FEES AND CHARGES - CREDIT CARD SURCHARGE

MINUTE: 252/2017

FILE REFERENCE:	FM02
AUTHOR'S NAME AND POSITION:	John Bingham Director Corporate Services
AUTHORISING OFFICER AND POSITION:	Dale Stewart Acting Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	11 October 2017
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 report considers implementing American Express as a card payment option and also assesses the statutory requirements for the Shire in consideration of applying a surcharge to all card payment methods.

Background

Reserve Bank of Australia Standard

In February 2016, a law was passed banning excessive payment surcharges and providing the Australian Competition and Consumer Commission (ACCC) with new regulatory powers. This law known as the Competition and Consumer Amendment (Payment Surcharges) Act 2016 or CAA, also operates in conjunction with the Reserve Bank of Australia (RBA) standard for surcharges.

While merchants still have the right to apply a surcharge for accepting card payments, there are three key conditions they will have to follow:

- **Card Acceptance Costs:** The RBA has narrowed the definition of acceptable costs to: "fees paid to the merchant's acquirer (or other payments facilitator) and certain other observable costs paid to third parties for services directly related to accepting particular types of cards." This definition means that businesses can only apply surcharges up to the amount they have to pay for processing a transaction. For example if a business is charged 3% for an American Express.
- **Average costs and percentages:** The companies responsible for the fees merchants must pay (payment facilitators) have to provide merchants with an annual statement that outlines the average cost of acceptance for each type of card payment regulated by the RBA. These costs will be represented as a percentage of each transaction. It's expected that merchants who apply a surcharge will also use a percentage, rather than a fixed fee.
- **ACCC Regulatory powers:** The ACCC has the power to investigate possible excessive surcharging and to enforce these surcharge standards.

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The new card payment surcharge rules will come into effect on 1 September 2017 for all merchants.

American Express Card Service Offer

On Friday the 25 August Ms. Cindy Frontino, American Express Business Development Executive of WA and SA, approached the Shire to offer its card service as a payment option for ratepayers, with Chevron Australia being one of them. Being the Shire's largest ratepayer it is fair and reasonable the Shire seek to accommodate, where possible, implementation of Chevron's preferred payment method. To promote their service American Express have offered a 'warmly welcoming rate' of 0.8% plus GST per transaction which presently, along with other card payment methods (Visa and MasterCard) would be incurred by the Shire under its current practice of not charging card users a surcharge.

Comment

It is now timely for Council to consider imposing a surcharge to recover costs for card payment users. Cost recovery promotes consistent, transparent and accountable charging for the Shires activities and supports the proper use of its resources. For American Express the acceptable cost recovery rate is 0.80% in accordance with the RBA regulations. The following table shows average annual cost of accepting card payments for Visa and MasterCard in 2016/17:

	MasterCard Credit	Visa Credit	MasterCard Debit	Visa Debit	eftpos
Net Sales	\$342,805.64	\$542,550.38	\$137,449.05	\$126,624.15	\$363,756.27
Fees Charged	\$ 2,898.07	\$ 3,921.69	\$ 1,116.67	\$ 711.18	\$ 2,658.65
Average Cost	0.85%	0.72%	0.81%	0.56%	0.73%

For 2017/18 the following applies:

	MasterCard Credit	Visa Credit	MasterCard Debit	Visa Debit	eftpos
Net Sales	\$116,756.51	\$168,065.59	\$38,238.22	\$ 44,220.20	\$130,545.05
Fees Charged	\$ 1,017.21	\$ 1,214.78	\$ 189.15	\$ 182.94	\$ 954.52
Average Cost	0.87%	0.72%	0.50%	0.43%	0.74%

ATTACHMENT 13.3

Given that RBA regulations require the imposition of card payment surcharges by merchants to be based on annual average cost of accepting that card type it is proposed a rate of 0.85% for MasterCard and 0.72% for Visa alongside 0.80% for American Express. At this point in time it is not proposed to on charge users of MasterCard debit users, Visa Debit users nor EFTPOS users due to the low risk of these cards being used for high value transactions. This the current status quo with respect to these debit cards.

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Consultation

Acting Chief Executive Officer
Finance Manager

Statutory Environment

The following sections of the Act apply:

- Section 6.16 sets out the Council's power to impose and recover fees and charges including what fees and charges can be imposed i.e. use of facilities, providing services etc. It also states Fees and Charges are to be imposed when adopting the Annual Budget but may be imposed during the financial year as well as amended from time to time during the financial year.
- Section 6.17 addresses the level of funding to be set including consideration of costs to the local government based on such considerations as the importance of the service and the price at which the goods and services could be provided by an alternative provider.
- Section 6.19 states that once adopted the Shire must give local public notice of its intention to do so and the date from which it is proposed the fees and charges will be imposed.
- Section 1.7 requires a public notice to be given in a newspaper circulating in the district, exhibited on public notice boards at the local government's administration office as well as libraries.
- Competition and Consumer Amendment (Payment Surcharges) Act 2016 or CAA and Reserve Bank of Australia (RBA) standard for surcharges.

Financial Implications

For 2016/17 merchant fees incurred by Council Visa and MasterCard were \$11,304. For 2017/18 July to September the cost incurred is \$3,559. No fees were incurred for American Express in the same period however it is forecast that once the proposed method of payment is implemented at Shire terminals there will a cost in excess of \$100,000. If the officer recommendation is adopted the full cost will be recovered with a subsequent marginal reduction in operating expenditure and similar marginal increase to surplus.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027
Goal 5 – Inspiring Governance
Objective 3 – Council Leadership
Objective 4 – Exemplary Team and Work Environment

Risk Management

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

Policy Implications

There are no specific policy implications related.

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Voting Requirement

Absolute Majority Required

Officers Recommendation and Council Decision

MOVED: Cr P Foster

SECONDED: Cr L Rumble

That with respect to the proposal from American Express to offer its card service as a payment option for ratepayers and the imposition of a card payment surcharge to all card payment methods Council:

- 1. Agree to the proposal from American Express and use its card service as a payment option; and**
- 2. Apply the following card payment surcharge rates to the 2017/18 Fees and Charges Schedule:**
 - a) American Express Credit Cards 0.80%.**
 - b) MasterCard: Credit Cards 0.85%**
 - c) Visa: Credit Cards 0.72%.**
- 3. Give local public notice of the changes with effect from the date of that notice.**

CARRIED BY ABSOLUTE MAJORITY 8/0
Councillors White, Rumble, Dias, Thomas, Foster, Gallanagh, Diver and Lynch
voted for the motion

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14. DEVELOPMENT AND REGULATORY SERVICES REPORTS

14.1 ADOPTION OF COASTAL HAZARD RISK MANAGEMENT AND ADAPTATION PLAN FOR THE ONSLOW COAST

MINUTE: 253/2017

FILE REFERENCE:	LP23
AUTHOR'S NAME AND POSITION:	Andrew Davis Principal Town Planner
AUTHORISING OFFICER AND POSITION:	Lee Reddell Director Development and Regulatory Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	6 October 2017
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 report presents the Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) for the Onslow Coast **ATTACHMENT 14.1A** for Council's consideration for endorsement as the Shire's primary planning tool for preparing subsequent strategic planning documents, and as the basis for assessment of applications for planning approval for areas potentially affected by coastal processes such as storm surge, erosion, and flooding from storm events.

The Western Australian Planning Commission's *State Planning Policy 2.6 Coastal Planning Policy* requires local governments responsible for coastal areas to prepare and implement a CHRMAP as a primary planning tool to account for and respond to climate change and its impact on land use and development.

With funding provided through the Northern Planning Project (a Royalties for Regions initiative administered by the Department of Planning, Lands, and Heritage), the Shire has engaged specialist coastal engineering consultants to prepare a CHRMAP for the Onslow coast. Following targeted consultation with significant stakeholders, and a period of advertising for public comment, the CHRMAP is now presented for Council consideration with a recommendation to endorse the Plan.

Background

In December 2015, the then Department of Planning (now the Department of Planning, Lands, and Heritage) awarded the Shire funding from the Northern Planning Program (a Royalties for Regions initiative) to prepare a CHRMAP for the Onslow coast. Following a competitive tendering process, the Shire awarded a contract to Cardno in August 2015 to undertake this work.

Section 77 of the *Planning and Development Act 2005* (the Act) requires that when preparing

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or amending a local planning scheme, a local government is to show regard to State Planning Policies as if they were set out in full in the Scheme text. The suite of State Planning Policies (SPP) address a wide range of planning matters and includes SPP 2.6, with this SPP requiring local governments to undertake coastal hazard risk management and adaptation planning.

As the Shire is in the process of preparing a Local Planning Strategy (LPS) that will support and guide the preparation of a new Local Planning Scheme (formerly referred to as 'Town Planning Schemes'), it is an appropriate time to prepare and adopt a CHRMAP that will inform the LPS recommendations and Scheme provisions based on the most accurate information currently available regarding coastal hazards. The CHRMAP will eventually be included as an appendix to, and the recommendations be incorporated into the Local Planning Strategy.

The purpose of the CHRMAP is to:

- Ensure that development and the location of coastal facilities takes into account coastal processes, landform stability, coastal hazards, climate change and biophysical criteria;
- Ensure the identification of appropriate areas for the sustainable use of the coast for housing, tourism, recreation, ocean access, maritime industry, commercial and other activities;
- Provide for public coastal foreshore reserves and access to them on the coast; and
- Protect, conserve and enhance coastal zone values, particularly in areas of landscape, biodiversity and ecosystem integrity, indigenous and cultural significance.

Underlying these outcomes are principles of equity and consideration of rights and responsibilities. These principles should ensure that costs and benefits are balanced to ensure the recommendations from the CHRMAP are implemented in such a way as to consider all users and beneficiaries of coastal areas are considered when allocating resources. This relies on consideration of rights and responsibilities and the concept of 'user pays' when implementing recommendations. It is important to recognise that there is no law requiring compensation or action from any level of government to protect private property from coastal processes, and that, while all levels of government should attempt to protect the assets of all Australians, the allocation of limited resources should consider who is likely to benefit from Shire actions, and prioritise actions accordingly.

In considering the purpose and guiding principles, the WAPC has prepared accompanying Guidelines to SPP 2.6, and these set out the process for preparing a CHRMAP that has been implemented in the preparation of the Onslow, being:

1. Establish the context – in this case the detailed modeling has extended from 4 Mile Creek to Beadon Creek;
2. Risk Identification – assets potentially threatened by coastal processes were identified considering the 'when, where, why, and how' of the anticipated threats with assessment of the vulnerability created by exposure to risk, sensitivity to damage, and capacity of the asset to adapt. This process involved site visits by technical experts, and community engagement through workshops and public advertising;
3. Risk analysis – this involves combining the consequences and likelihood of predicted hazards to each asset;
4. Risk evaluation – this next step in the process ranks the coastal hazard risks in order to identify management priorities;
5. Adaption planning – at this stage the management plans are developed and implemented based on a series of recommendations. Management plans should consider the potential for unintended consequences, ongoing maintenance, funding, future uncertainties, site-specific factors, and implementation timeframes;
6. Monitor and review – a critical aspect given the dynamic nature of the Onslow coast, the town and surrounding industrial development, and community expectations and

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aspirations;

7. Communication and consultation – this element is highly significant throughout the preparation and implementation of the CHRMAP, although this element has proven difficult to achieve in the either the local community or with many significant stakeholders.

When considering adaption planning (Stage 5 above), SPP 2.6 establishes a hierarchy of responses that reflect the Policy's guiding principles and are incorporated into the Onslow CHRMAP:

1. **Avoid** the presence of new development within an area identified to be affected by coastal hazards;
2. **Planned or Managed Retreat** or the relocation or removal of assets within an area identified as likely to be subject to intolerable risk of damage from coastal hazards over the planning time frame;
3. **Accommodate** the hazard through design and/or management strategies that render the risks from the identified coastal hazards acceptable;
4. **Protection** works may be proposed for areas where there is a need to preserve the foreshore reserve, public access and public safety, property and infrastructure that is not expendable.

Based on the SPP 2.6 framework, Cardno has undertaken the technical analysis and computer modeling to determine the likelihood of threats to local assets, summarizing this in a list of 37 recommendations contained in Chapter 7 of the CHRMAP. These recommendations include proposed new and modifications to existing Scheme provisions, restrictions for further development in some areas, relocation of some Shire assets, maintenance of coastal protection infrastructure (the sea wall), and further monitoring and review.

The list of recommendation is included as **ATTACHMENT 14.1B** to this report, along with a brief note or explanation as to its anticipated implementation. Of these recommendations, Recommendations 14 and 21 are likely to prove the most problematic in implementation. These two recommendations relate to the Bindi Bindi Community:

R14. Intensification of development at the Bindi Bindi community should not be permitted. Renewal of existing infrastructure should only be considered with appropriate flood-resistant design.

R21. Consideration should also be given to the long term possibility of relocating the Bindi Bindi community to higher ground.

While these recommendations were not unanticipated given the relatively low-lying ground on which the Community is located, the community engagement and consultation processes integral to the preparation of this CHRMAP have failed to adequately engage either the Community, or any of the State Government agencies involved with Bindi Bindi. While the Shire and its consultants have made extensive efforts to advise on the process, and to seek comments regarding Bindi Bindi, these efforts have remained unsuccessful.

Should Council endorse the Onslow CHRMAP with these recommendations left unchanged, the Shire would be unlikely to support any proposed further development, including subdivision for this location without strong evidence that the development would not expose persons or infrastructure to preventable hazards. It is stressed that it is proposed that Council endorse the CHRMAP at this stage, meaning that it would be considered a seriously entertained proposal requiring consideration, but that it would not be a statutory document requiring strict adherence.

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As noted earlier, the CHRMAP will ultimately be incorporated into the Local Planning Strategy, which will give the Plan and recommendations a higher status, requiring closer adherence and not permitting the amount of discretion with regards to implementation as a Council endorsed Plan. Adopting the Local Planning Strategy however will require further significant public consultation, giving another opportunity to engage with the Bindi Bindi Community regarding the future of this development.

At this stage, it is not recommended that actions commence to relocate the Community, however this option will remain an active consideration through the preparation of the Local Planning Strategy and Local Planning Scheme to ensure sufficient and appropriately located land remains available should it be required for this purpose. While the current understanding is that the threat to the Community (being more than 20 years in the future) is not imminent, or within the scope of the Local Planning Strategy (15 years), should this assessment change due to accelerated coastal processes, or new studies giving a more precise understanding of the impact of flooding and inundation events threatening the site, the Shire may require a more urgent response.

In this regard, it is noted that the timeframe for the CHRMAP extends to 100 years, and so is far beyond the scope of most Shire planning tools such as the Local Planning Strategy and Scheme. As such, many of the identified threats will not require direct action in the short term, however strategic planning documents and statutory decisions will be heavily influenced to ensure risk are minimized, and future necessary actions are not prejudiced.

Comment

This Coastal Hazard Risk Management and Adaptation Plan provides a vital understanding of the processes involved in shaping one of the most dynamic sections of coastline in Australia, and is an extremely valuable planning tool for guiding the Onslow coasts ongoing development.

As a town with internationally significant industry and resource processing that will continue to be affected by a coastline increasingly affected by climate change, it is critical that the Shire increases its appreciation and understanding of these dynamics in order to both guide coastal development, and make provision for future changes to the town and its hinterland.

While the Plan has been prepared in accordance with SPP 2.6 and established best practice for community engagement, it has been difficult to engage local interest in the preparation or recommendations from this project. While every reasonable consideration towards community aspirations regarding coastal access, identification and protection of assets, and aspirations for the ongoing development of coastal areas within the Shire has been made, the lack of community and significant stakeholder engagement may have inadvertently led to gaps in identifying assets and determining their value to the community. While the CHRMAP should not require a major review for at least five years, new studies may add to or revise some elements, and as such, the CHRMAP should be considered a live document subject to ongoing review and update.

Notwithstanding the potential issues regarding community engagement and consultation, the Onslow CHRMAP is an extremely valuable planning document supported by rigorous scientific methodology, providing a much needed basis for future planning decisions.

The recommendations contained within the report provide a clear and concise response to the current known threats and hazards to the Onslow coast posed by climate change and, as the Shire undertakes additional supporting studies, provides certainty for future land use and development of the town.

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Consultation

Acting Chief Executive Officer
Director Development & Regulatory Services
Director Corporate Services
Director Strategic & Community Development
Director Infrastructure Services

Preparation of the Onslow CHRMAP involved extensive community consultation, primarily undertaken by Cardno's sub-consultant Umwelt. The Stakeholder Engagement Strategy prepared and employed for this project included:

- Online and in-person surveys;
- Targeted stakeholder meetings and emails advising of significant project milestones;
- Public workshops held in Onslow on 26 October 2015 and 15 August 2017;
- Regular presentations to Council;
- Two comprehensive information sheets made available in hard copy to all Onslow landowners and residents;
- First report draft advertised on 27 July 2016 in:
 - Pilbara News;
 - Onslow Pipeline;
 - West Australian Newspaper;
 - Shire website;
 - Shire noticeboards.
- Final report draft advertised on 9 August 2017 in:
 - Onslow Pipeline;
 - West Australian Newspaper;
 - Pilbara News;
 - Shire website;
 - Shire noticeboards.

While community responses were generally limited, these did provide important guidance for the project, particularly with regard to identifying and ranking public assets at risk from storm and inundation events. Other feedback, particularly from stakeholders and technical experts has been considered and incorporated into the document throughout its preparation.

Statutory Environment

Planning and Development Act 2005
Town Planning Scheme No. 7

Financial Implications

The financial implications for implementing the recommendations contained within the CHRMAP will be implemented through the Shire's budgetary process as and when required.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027

Goal 1 – Vibrant and Active Communities

Objective 1 – connected, caring and engaged communities

Goal 2 – Economic Prosperity

Objective 1 – Strong local economies

Goal 3 – Unique Heritage and Environment

Objective 1 – Flourishing natural environments

Objective 2 – Leading regional sustainability

Goal 4 – Quality services and infrastructure

Objective 1 – Quality public infrastructure

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Objective 2 – Accessible and safe towns
Objective 3 – Well-planned towns
Goal 5 – Inspiring governance
Objective 1 – Effective planning for the future
Objective 2 – Community ownership

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.

Policy Implications

The CHRMAP contains a number of recommendations related to Local Planning Policies and these will be implemented through a comprehensive review of these policies.

Voting Requirement

Simple Majority Required

Officers Recommendation and Council Decision

MOVED: Cr P Foster

SECONDED: Cr D Diver

In respect to the Coastal Hazard Risk Management and Adaptation Plan for the Onslow Coast, that Council endorse the Plan and note that it will be used as an informing study for the Local Planning Strategy and as an assessment tool for development proposals within the Onslow coastal zone.

CARRIED 7/1

Councillors White, Rumble, Dias, Foster, Diver, Lynch and Gallanagh voted for the motion

Councillor Thomas voted against the motion

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14.2 RECEIPT OF BUSH FIRE ADVISORY COMMITTEE MEETING MINUTES AND AMENDMENTS TO BUSH FIRE POLICY

MINUTE: 254/2017

FILE REFERENCE:	ES02 ES04
AUTHOR'S NAME AND POSITION:	Morgwn Jones Emergency Management Coordinator
AUTHORISING OFFICER AND POSITION:	Lee Reddell Director Development and Regulatory Services
NAME OF APPLICANT/RESPONDENT:	Shire of Ashburton
DATE REPORT WRITTEN:	13 September 2017
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Agenda Item 14.1 (Minute No. 12075) – Ordinary Council Meeting 26 April 2016

Summary

The Shire of Ashburton Bush Fire Advisory Committee (BFAC) met on 13 September 2017. At this meeting the Committee proposed amendments to the Shire's Bush Fire Policy ENG08. Officers have assessed the proposed changes and it is recommended that Council adopt the proposed changes, as contained within the minutes of the BFAC meeting and **ATTACHMENT 14.2A**

Background

The Shire of Ashburton BFAC met on 13 September 2017. At this meeting the Committee proposed amendments to the Shire's Bush Fire Policy ENG08.

Comment

An outline of discussions held and recommendations made at the recent BFAC Meeting are contained within the attached minutes **ATTACHMENT 14.2B**. A review of the Shire's current Bush Fire Policy was also conducted and the BFAC proposed amendments to the Policy at the meeting which include:

- Specified levels of personal protective equipment;
- Minimum requirements and commitment to training and meetings for prospective members;
- Criminal history checks for prospective members;
- Inclusion of the role of Equipment Officer to the Officer Group.

Further, as part of the review of the Shire's Bush Fire Policy, it was highlighted that the quorum for Bush Fire Advisory Committee meetings currently requires 50% of the membership to attend. The consensus of the Committee was this is too high and could not consistently be achieved, as has been proven over recent years when meetings have not been held due to the lack of a quorum. It was proposed that this number be reduced to eight presiding members, not including Ex Officio members.

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The proposed changes to the Bush Fire Policy by the Committee are considered justified and reasonable and will serve to provide better clarity and protection for the volunteer Bush Fire Brigade members and make achieving a quorum for the bi-annual BFAC meetings more likely. It is therefore recommended that the minutes of the BFAC meeting be received and the revised Bush Fire Policy be formally endorsed by Council.

ATTACHMENT 14.2C

Consultation

Acting Chief Executive Officer
Director Development and Regulatory Services
Bush Fire Advisory Committee Members
Tom Price Volunteer Bush Fire Brigade

Statutory Environment

Section 67 of the *Bush Fires Act 1954* relates as follows;

In accordance with Sec 67(1) of the *Bush Fires Act 1954*;

A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of cooperation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from those specified in at subsection

Financial Implications

There are no financial implications for this matter.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027
Goal 4 - Quality Services and Infrastructure
Objective 2 - Accessible and Safe Towns

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

Amendments to the Shire of Ashburton Bush Fire Policy are required.

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Voting Requirement

Simple Majority Required

Officers Recommendation and Council Decision

MOVED: Cr M Lynch

SECONDED: Cr P Foster

That with respect to ENG08 'Bush Fire Policy', Council:

- 1. Receive the minutes of the Bush Fire Advisory Committee meeting ATTACHMENT 14.2A and ATTACHMENT 14.2B held on 13 September 2017; and**
- 2. Adopt the revised Bush Fire Policy ATTACHMENT 14.2C, which includes the revisions recommended by the Bush Fire Advisory Committee, including a reduction to the quorum of Bush Fire Advisory Committee meetings to eight presiding members.**

CARRIED 8/0

**Councillors White, Rumble, Dias, Thomas, Foster, Gallanagh, Diver and Lynch
voted for the motion**

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Declaration of Interest

Prior to consideration of this Agenda Item:

Cr Dias declared a proximity interest.

See item 6.2 for details of the interest declared.

RECORDED ON REGISTER GV07

Cr Dias left the room at 3.20 pm.

Council Motion

MOVED: Cr L Rumble

SECONDED: Cr M Gallanagh

That Cr Dias be allowed back in the room to participate and vote.

LOST 3/4

**Councillors Thomas, Gallanagh and Rumble voted for the motion
Councillors White, Foster, Lynch, Diver and voted against the motion**

14.3 PROPOSED PERMANENT CLOSURE OF PEDESTRIAN ACCESS WAY BETWEEN CAROB STREET AND POINCIANA STREET, TOM PRICE

MINUTE: 255/2017

FILE REFERENCE:	POI.0256
AUTHOR'S NAME AND POSITION:	Benjamin Sharman Town Planner
AUTHORISING OFFICER AND POSITION:	Lee Reddell Director Development & Regulatory Services
NAME OF APPLICANT/ RESPONDENT:	China Blue (Aust) Pty Ltd ATF The Edwards Family Trust
DATE REPORT WRITTEN:	9 October 2017
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Agenda Item 14.1 (Minute No. 167) – Ordinary Meeting of Council 23 May 2017

Summary

At the Ordinary Council Meeting 23 May 2017, the Council resolved to advertise the proposed closure of the Pedestrian Access Way (PAW) located at the western end of Poinciana & Carob Streets, Tom Price. Council authorized the Acting Chief Executive Officer to forward a request to the Minister for Lands to close the PAW if no objections were received. As an objection has been received however, the matter is referred to Council for determination.

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The PAW is described as Lot 55 on Plan 15208, with this Lot comprising two discrete, non-continuous portions of land; the second portion (which is not proposed to be closed) is developed as a PAW, located approximately halfway along Carob and Poinciana Streets, linking these two roads. Both portions of Lot 55 are held by the Department of Lands, having been vested under section 20A of the Town Planning and Development Act 1928 (superseded) for the purpose of 'pedestrian access way'.

Advertising was conducted by publishing notice of the proposed closure on site and at the Tom Price Administration and Community notice boards between 13 July 2017 and 16 August 2017, with correspondence to selected agencies and affected residents along Carob & Poinciana Streets posted on 12 July 2017. Four responses were received including one objection.

Background

As illustrated in the 2010 aerial photograph **ATTACHMENT 14.3A**, the boundary fence on the western side of Lot 2256 Poinciana Street and Lot 277 Carob Street is not constructed along the cadastral boundary. Aerial photography from 2001 **ATTACHMENT 14.3B** suggests that this alignment has been the assumed lot boundary since at least this date.

The Shire identified this obstruction of the PAW subject of this report in 2016 and has been negotiating with the two affected landowners and the Department of Planning, Lands & Heritage (formerly Department of Lands) to determine an acceptable solution. The preferred solution for the landowners of Lot 2256 Poinciana Street was to formally request the closure of the PAW and, upon closure, the owners would seek to purchase a portion of the PAW to amalgamate into Lot 2256.

Council resolved to support the proposed closure of this laneway at its Ordinary Meeting on 23 May 2017, subject to there being no objections to the closure following statutory advertising of the proposal.

Advertising was undertaken by way of a letter advising of the proposed PAW closure to affected properties along Carob and Poinciana Streets on 12 July 2017, letters to selected agencies on 12 July 2017, an advertising sign at the site of the proposed PAW closure and also notifications being placed on the Tom Price Administration Office and Community Development notice boards between 13 July 2017 and 16 August 2017.

Letters sent to affected properties along Carob and Poinciana Streets:

- Lots 256-260, 277, 1256 & 2256 Poinciana Street;
- Lots 272-276 & 279-283 Carob Street.

"A letter to the adjoining lot, No. 252 was inadvertently sent to the wrong address (Mine Road, rather than Poinciana Street) but the tenant of this property subsequently received a letter after sighting the advertising signs near the laneway and requesting one from the Shire".

Letters sent to the following agencies:

- Telstra;
- Water Corporation;
- Department of Lands; and
- Rio Tinto Iron Ore (Core Services – Facilities).

The following responses were received by the Shire:

Respondent	Comment	Shire Response
Department of	No comment on the proposal until section 58	None required.

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Lands	of the <i>Land Administration Act 1997</i> has been complied with.	
Telstra	Telstra plant records indicate there are Telstra assets in the near vicinity however Telstra does not object to the proposed PAW closure	None required.
Rio Tinto	Rio has no objections to the closure of the PAW and also has no interest in purchasing the remaining portion of the PAW.	None required.
Resident at Lot 252 Poinciana Street, Tom Price	<p>Objects to the proposed closure of the PAW for the following reasons:</p> <ol style="list-style-type: none"> 1. Removed public access from the end of Poinciana Street into the adjacent bushland; 2. Issue with current tenant of Lot 2256 regarding fence line trees and feels assumption of the PAW into Lot 2256 would exacerbate this issue; 3. Area between Lots 252 and 2256 Poinciana currently being used as a car parking area and rubbish dumping area; 4. Preference in the entirety of the PAW to be restored however if this is not possible then a realignment of the fencing as per provided drawing. 	<p>A meeting with the resident at Lot 252 Poinciana highlighted that their primary concern related to an incident where the owners of Lot 2256 allegedly cut back overhanging branches from neighbouring property, extending over the fence line to do so.</p> <p>Concerns re: the tree lopping are of a civil nature and not related to planning principles or practices.</p>

Comment

When considering the permanent closure of a PAW, the impact of its closure should be carefully balanced against the benefit to the landowner seeking the closure. In this case, there is no apparent community benefit to the PAW, and the closure is therefore supported. Furthermore it is noted that the PAW has effectively been closed for 16 years (as evidenced by historical aerial photos).

The objection raised by the resident at Lot 252 Poinciana Street does not justify keeping the PAW open. After meeting with the resident at Lot 252, it was evident that the reasons for their objection, relating to the alleged lopping of tree branches on Lot 252 by the owner of Lot 2256, were of a civil nature and not valid planning considerations.

Discussions were held with the Shire's Operations Manager in regards as to the legality of the pruning of the subject trees by the owner of Lot 2256 and it was confirmed that the Shire is responsible for the pruning of the trees, as the current land manager, and that the owners of Lot 2256 were therefore not technically authorised to prune the trees. Further discussions in regards to the matter of the responsible agency for the pruning of the branches confirmed that should the PAW remain open, the Shire would be responsible for its maintenance, including the pruning of any intruding tree branches, but that it is unlikely that the Shire would do so on a regular basis.

As such it is recommended that Council proceed with the closure of the PAW as the objection received is of a civil nature and not one related to valid planning considerations or broader community interest in keeping the PAW open.

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Consultation

Acting Chief Executive Officer
Director Development and Regulatory Services
Principal Town Planner
Operation Manager, Infrastructure Services

Statutory Environment

Land Administration Act 1997
Land Administration Regulations 1998
Shire of Ashburton Town Planning Scheme No. 7

Financial Implications

There are no financial implications for this matter if Council resolves to proceed with the PAW closure beyond officer time required to prepare the request to the Minister for Planning, Lands & Heritage for the closure of the PAW.

Should Council not support the closure, officer time, and potentially legal advice will be required to ensure all currently unauthorised development is removed from the affected land. The Shire will then assume maintenance of the PAW.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027
Goal 1 – Vibrant and Active Communities
Continue to maintain good facilities
Goal 4 – Distinctive and Well Services Places
Improve roads, street lighting and pedestrian pathways

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.

Policy Implications

There were no policy implications identified.

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Voting Requirement

Simple Majority Required

Officers Recommendation and Council Decision

MOVED:Cr P Foster

SECONDED:Cr M Gallanagh

That with respect to the proposed closure of the western PAW in Tom Price, Council:

- 1. Request the Minister for Planning, Lands, and Heritage to close the PAW located at the western end of Poinciana and Carob Streets, Tom Price as described in the attached plan 170307-CP-01 ATTACHMENT 14.3C; and**
- 2. Advise all parties who have made submissions regarding this matter of the Council's request, noting the ultimate decision and any resultant amalgamations rest with the Minister.**

CARRIED 7/0

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

Cr Dias returned to the meeting at 3.23pm.

15. INFRASTRUCTURE SERVICES REPORTS

Declaration of Interest

Prior to consideration of this Agenda Item:

Cr Rumble declared a financial interest.

Cr Dias declared a financial interest.

Cr Gallanagh declared a financial interest.

Cr Lynch declared a financial interest.

Cr Diver declared a financial interest.

Cr Foster declared a financial interest.

See item 6.2 for details of the interest declared.

RECORDED ON REGISTER GV07

The agenda item 15.1 – Tom Price Royal Flying Doctor Service (RFDS) Airstrip – Confirmation of Council Position was not considered, due to the lack of a quorum if it was to be debated.

This agenda item will be considered at the November Ordinary Meeting of Council following receipt of members declarations for the next meeting, and a request for approval for disclosing members to participate in the vote from the Minister for Local Government.

15.1 TOM PRICE ROYAL FLYING DOCTOR SERVICE (RFDS) AIRSTRIP - CONFIRMATION OF COUNCIL POSITION

FILE REFERENCE:	TT08
AUTHOR'S NAME AND POSITION:	Troy Davis Director Infrastructure Services
AUTHORISING OFFICER AND POSITION:	Dale Stewart Acting Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	11 October 2017
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Agenda Item 14.9 (Minute No. 11680) – Ordinary Meeting of Council 16 October 2013

Summary

Since early 2012, Council has considered a number of agenda items on the proposed Tom Price RFDS airstrip (the Project); the latest being in October 2013 when Council noted the design parameters and cost estimates to be utilised in a Business Case.

Previous agenda items principally dealt with Council's appetite to build, own and operate/maintain a Royal Flying Doctor Service (RFDS) airstrip in Tom Price, with the latest

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relevant resolution from the Ordinary Meeting of Council (OMC) held on 17 October 2012 being:

1. *Council supports, without bias, that it is the desire of the residents of Tom Price to have their own Royal Flying Doctor Air Strip, for which to service their needs.*
2. *Council authorises the Chief Executive Office to source the required capital funding for the Royal Flying Doctor Air Strip and investigate means to offset maintenance costs.*
3. *On the basis of 2 above and should capital funds be located, then Council agree in principle to accept ownership responsibility of the airstrip.*
4. *A Business Plan is to be brought back to Council for approval.*

Prior to the last state election the WA State Labor Party committed \$2.5M towards the construction of the Project.

The Shire President and Acting Chief Executive Officer recently met with the Minister for Transport with respect to a number of matters, including the Airstrip promise, and also wrote to the Premier congratulating the Premier on the election result and the promises made with respect to the Pilbara.

Following this, Council is now in receipt of correspondence from Mark McGowan MLA, Premier of Western Australia advising that the funding will not be forthcoming until 2020/21.

ATTACHMENT 15.1A

The Labor Promise (for the Pilbara), the response from the Premier, and with a Council election concluded, now presents an opportune time for Council to revisit its commitment from October 2012 and determine its next course of action.

Background

At the 15 February 2012 OMC, Council resolved the following:

1. *Council will support the development of a RFDS airport of Tom Price owned and operated by others.*
2. *Direct the CEO to lobby resource companies, state government departments, etc. to construct own and operate an RFDS air strip in Tom Price.*

Subsequently at the 17 August 2012 OMC, the 15 February 2012 resolution was rescinded and the aforementioned 17 October 2012 resolution was adopted.

Further to item 4 of the current resolution, an agenda item that detailed construction and maintenance costs for both a sealed and unsealed airstrip, and the proposed design parameters was considered and endorsed by Council (Agenda Item 14.9 (Minute No. 11680) – Ordinary Meeting of Council 16 October 2013). The intent being to include this information in the Business Case. However as the capital funding component had not been resolved, the Project has not progressed beyond discussions/negotiations with both Rio Tinto and RFDS.

The RFDS have been formally approached to gauge their support for the Project with their response in the affirmative.

ATTACHMENT 15.1B

Correspondence has been sent to Rio Tinto seeking support for the Project, access to and tenure of the subject site and access to site specific investigations that may assist with developing the Project. There are no records of these letters being responded to formally, although numerous meetings and discussions have taken place subsequently

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ATTACHMENT 15.1C ATTACHMENT 15.1D

After numerous, unsuccessful approaches to Rio Tinto via local and Perth head office contacts to gain formal comment/endorsement of the Project, the Project was considered at a Rio Tinto/Shire of Ashburton Partnership Governing Committee (PGC) meeting in November 2016 where it was agreed that:

"We should defer further work on the Tom Price RFDS Airstrip facility project until a confirmed funding source is located."

The presence of \$2.5 Million funding from the State Government, albeit deferred until 2020/21, has gone a majority of the way towards satisfying item 2 of the standing Council resolution and the decision of the PGC, therefore it is an opportune time to revisit Council's appetite to progress the Project and determine a way forward.

Comment

Since the latest, substantive resolution of Council from 17 October 2012, Shire staff have prepared several iterations of a Business Case detailing the overall project, including scope, costs, preliminary design, project constraints and funding opportunities. The latest version of the Business Case is attached for recommended endorsement.

ATTACHMENT 15.1E

The Business Case is predicated on utilising a site on Bingarn Rd, approximately 13km north of Tom Price that was previously identified for a proposed Tom Price Airport Development by Rio Tinto. To date all investigations, cost estimates and negotiations with stakeholders has centered around that premise.

Rio Tinto have also verbally questioned the site selection and have articulated their preference for the RFDS Airstrip to be located at a different site.

Staff counter-argument is that, based on information contained in Rio Tinto's original Tom Price Airport Feasibility Study 2008, Rio Tinto have undertaken a site selection process to locate their proposed airport facility on that same site. Additionally the proposed Tom Price Airport site *'is located within Miscellaneous Licence L47/206 for aerodrome purposes and the underlying Hamersley Pastoral Station Lease L3114 1277.....Miscellaneous Licence L47/206 has been granted under the Mining Act 1978 (WA) to permit early access for the construction of the Tom Price Airport and other associated works. However a long term tenure is now granted in the form of a lease granted pursuant to the Land Administration Act 1997 (WA) (LAA) and excised from L3114 1277. This is secure tenure appropriate for use as a regional airport and provides the capacity to enter into subsidiary arrangements including car rentals and fuel suppliers'*; therefore staff have argued 'why reinvent the wheel' at unnecessary cost to the Project. To date Rio Tinto have been reluctant to release any investigations into their original site selection and have requested the Shire provide evidence it has considered all options. There is no evidence that alternate sites have been considered by staff, other than the 'old' airstrip within Karijini National Park that was deemed too short for RFDS operations (at only 900m when the minimum standard is 1,200m), and consideration of a 'road landing strip' that is only permissible for Priority 1 or 'mercy flights' under life and death situations.

Given the concerns regarding the current preferred site, and if Rio Tinto maintain their reluctance to enter into negotiations to utilise their land without consideration of the alternatives, it may be prudent to revisit the site selection process to ensure the optimum site is selected for location, access, tenure, ease of construction etc; particularly given the additional planning time afforded by the delayed funding,

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This process may either provide a less encumbered site, a less expensive development option or alternatively provide Rio Tinto with the confidence that the original site is the preferred option. It would also provide an opportunity to undertake more intensive site investigations and determine any applicable land constraints that might affect the viability of the overall Project.

It should be noted that the in looking at potential alternatives, it is not possible to use a road as an airstrip for regular patient transfers by the RFDS. The RFDS can only land on major highways under emergency, "life or death" circumstances. These flights are known as "mercy flights" landing on "emergency road landing sites".

Consultation

Acting Chief Executive Officer
Royal Flying Doctor Service
Rio Tinto
Rio Tinto/Shire of Ashburton Partnership Governing Committee

Statutory Environment

At this stage of the Project, it is difficult to determine the statutory environment applicable. Other than compliance with the Civil Aviation and Safety Authority, a number of Acts and Regulations may be applicable, including Native Title and Environment Protection depending on the selected site.

Financial Implications

The cost estimate to design and construct a sealed airstrip on the subject land is approximately \$3.1 Million. The WA State Government has committed \$2.5 Million towards the project in 2020/21. Annual operational and maintenance costs are estimated at \$90,000 (inclusive of resealing).

An unsealed (gravel) airstrip is estimated to cost \$2.4 Million with annual operational and maintenance costs estimated at \$133,000.

Opportunities to 'bridge the gap' with respect to the estimated capital costs for the sealed airstrip, other than Council funding it themselves, are to seek grant funding through the Regional Airports Development Scheme (RADS), although the letter from the Premier states the \$2.5 Million funding is sourced from the RADS; and via other related Government departments such as Department of Health. Additionally key external stakeholders such as Rio Tinto can be lobbied to contribute to the project. Council could commit to constructing an unsealed airstrip initially and then apply for funding to effectively upgrade the airstrip, however additional funding cannot be guaranteed and the ongoing, additional annual operational and maintenance costs would need to be considered.

It should be noted that the cost estimates provided in the Business Case are desktop based and have a number of assumptions and contingencies that inflate the estimate. De-risking the project by undertaking further investigations may reduce the estimated capital costs.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027

Goal 1 – Vibrant and Active Communities

Objective 3 – Quality education, healthcare, childcare, aged care and youth services

Goal 4 – Quality Services and Infrastructure

Objective 1 – Quality public infrastructure

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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 'High' should the Project be abandoned based on damage to Council's reputation. It is proposed that a Communications Plan be developed and implemented should Council decide to withdraw its support and reject the funding offer from the WA State Government.

Policy Implications

ENG09 Asset Management Policy

Voting Requirement

Simple Majority Required

Officers Recommendation

That with respect to the proposed Tom Price Royal Flying Doctor (RFDS) Airstrip Project, Council:

1. Reaffirm its support and commitment to the Project per the resolution from Agenda Item 18.3 of the Ordinary Council Meeting held on 17 October 2012; and
2. Endorse the Business Case; and
3. Authorise the Chief Executive Officer to;
 - a. Re-engage with Rio Tinto to negotiate access and tenure to the subject site on Bingarn Rd;
 - b. Undertake a Site Selection and Feasibility Study to determine the preferred site should 3a above not be successful;
 - c. Engage with the landholder of the preferred site from the Site Selection and Feasibility Study to enable access, tenure, construction and operation of an RFDS Airstrip;
 - d. Undertake specific site investigations and determine land constraints on the preferred site from the Site Selection and Feasibility Study to de-risk the Project and provide greater accuracy and confidence in the construction and maintenance costs in conjunction with 3c above; and
- e. Pursue additional funding opportunities for the Project to offset the capital and operational costs.

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15.2 TENDER RFT 05/17 PROJECT MANAGEMENT CONSULTANCY SERVICES

MINUTE: 256/2017

FILE REFERENCE:	CM05.17
AUTHOR'S NAME AND POSITION:	Brenton Hall Operations Manager
AUTHORISING OFFICER AND POSITION:	Troy Davis Director Infrastructure Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	2 October 2017
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 Tender for a Project Management Consultancy (RFT 05/17) was issued via the Shire's e-tendering portal known as TenderLink and also advertised via state wide public notice in The West Australian Newspaper from 18 July 2017 until 2 August 2017.

13 submissions were received via TenderLink in response to the RFT. One submission was non-complaint and not evaluated.

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

Background

The previous Project Management Consultancy Services contract expired on 24 February 2017. As the Shire will be undertaking capital, operational and strategic projects in the future, these works may require input from expert project management consultants.

It is the intent to engage the Consultant for an initial 12 month period with the option of a further two twelve (12) month extensions at the Shire's discretion.

The selection criteria were amended under Delegated Authority (DA 06-2) as the criteria in FIN 14 Tender Evaluation Criteria Policy were not suitable for the requirements of this Request for Tender.

The advertised selection criteria were:

Criteria		Weighting
(a)	Experience	30%
(d)	Tenderers Resources	20%
(f)	Methodology and Quality	20%
(g)	Price and Value for Money	30%

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After initial compliance assessment, all submissions were deemed compliant for further assessment. The evaluation panel then assessed the submissions against the selection criteria and value for money.

The Evaluation and Recommendation Report, including the overall evaluation scores and rankings, is attached as a confidential item.

CONFIDENTIAL ATTACHMENT 15.2

Comment

The tenders have been assessed with the below scores and rankings. Complete details of the tenders and assessment are provided in Attachment A.

Rank	Tenderer	Score
1	RFF Pty Ltd	73
2	HQ Management Pty Ltd	70
2	Allied Projects Pty Ltd	70
4	Worley Parsons Services Pty Ltd	68
5	Greenfield Technical Services	60
5	Cushman and Wakefield	60
5	Preston Consulting Pty Ltd	60
8	Shawmac Pty Ltd	52
9	Engenuity Engineering	48
9	Integral Development Pty Ltd	48
11	Pinto Engineering	44
12	Bowman & Associates Pty Ltd	38
13	WML Consultants	0

The submission received from WML Consultants was not evaluated as the submission related to another Tender the Shire had advertised. The Tender submitted by WML Consultants was for RFT 16/17 Project Management Consultancy Services - WANDRRA 743.

The evaluation panel concluded RFF Pty Ltd to be the most suitable and value for money submission in relation to RFT 05/17.

Consultation

Manager – Economic & Land Development
Director Infrastructure Services
Operations Manager
Coordinator Technical Services

Statutory Environment

Local Government Act 3.57
Part 4 of the Local Government (Functions and General) Regulations 1996.

Financial Implications

The expenditure will be in accordance with the adopted budget, with expenditure being allocated to individual projects as required.

The indicative spend on this consultancy for 12 months, is in the order of up to \$400,000, spread across the various directorates.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027

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Goal 4 – 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". The Low level of risk is an outcome of utilising the services of an external Project Management Consultancy and the Shire's Project Managers.

Policy Implications

Policy FIN12 Shire of Ashburton 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 through a publically advertised RFT.

Policy FIN14 Shire of Ashburton Tender Evaluation Criteria. This policy establishes the evaluation criteria for Council procurement in three Procurement categories, Plant, Services and Infrastructure. This RFT utilised evaluation criteria not contained within a category under FIN14 as it was not suitable for the requirements. Alternative criteria was used under DA 06-2.

Voting Requirement

Simple Majority Required

Officers Recommendation and Council Decision

MOVED:Cr P Foster

SECONDED:Cr L Rumble

That with respect to RFT 05/17 Project Management Consultancy Services, Council:

- 1. Award the Contract to RFF Pty Ltd; and**
- 2. Authorise the Acting Chief Executive Officer to award the contract to the appointed Consultant for an initial 12 month period with the option of two further 12 month extensions at the Chief Executive Officer's discretion.**

CARRIED 7/1

Councillors White, Rumble, Dias, Foster, Gallanagh, Diver and Lynch voted for the motion

Councillor Thomas voted against the motion

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15.3 REQUEST FOR QUOTE RFQ 69/17 CONSULTANCY SERVICES - PILBARA REGIONAL WASTE MANAGEMENT FACILITY

MINUTE: 257/2017

FILE REFERENCE:	CMQ69.17
AUTHOR'S NAME AND POSITION:	Troy Davis Position
AUTHORISING OFFICER AND POSITION:	Dale Stewart Acting Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	16 October 2017
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 Quote (RFQ) for Consultancy Services for the Pilbara Regional Waste Management Facility, Onslow WA (RFQ 69/17) was issued to three Consultants via the WALGA Preferred Supply Panel for Environmental Consulting Services.

One submission was received and the remaining two consultants advised that they did not intend to respond to the RFQ.

The evaluation panel has now completed its assessment of the submission and has made their recommendation.

Background

The Pilbara Regional Waste Management Facility (PRWMF) has recently received federal funding of just over \$9 million to complement the Shire's \$2 million contribution and Chevron Australia Pty Ltd's (CAPL) contribution of \$2 million. The project requires significant consultancy expertise and support in order to deliver the required outcomes to meet the funding obligations (i.e. project to be completed by 31 December 2019).

The intent of this RFQ is to engage a suitably experienced consultant to undertake project management, stakeholder engagement, site investigations, environmental approvals, survey and design, operations modelling and construction quality assurance over the duration of the project to ensure a professional and consistent approach and delivery.

The advertised selection criteria were:

Criteria		Weighting
(a)	Relevant experience	20%
(b)	Demonstrated understanding and capacity	40%
(c)	Fees and Charges	40%

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After initial compliance assessment, the single submission received was deemed compliant for further assessment. The evaluation panel then assessed the submission against the selection criteria and value for money.

The Evaluation and Recommendation Report, including the overall evaluation scores, is attached as a confidential item.

CONFIDENTIAL ATTACHMENT 15.3

Comment

The submission has been assessed with the below score. Complete details of the submission is provided in confidential Attachment A.

Rank	Tenderer	Score
1	Talis Consultants	90
	GHD Pty Ltd	0
	ASK Waste Management	0

The evaluation panel concluded Talis Consultants to be suitable and a value for money submission in relation to RFQ 69/17.

Talis Consultants were recently successful in gaining a position on the Waste Consultancy Services Panel RFT and have completed a number of strategic and operational projects for the Shire over the past four years, including being instrumental in assisting staff with the development of the subsequently successful PRWMF grant application.

They are therefore intimately across the requirements of the next critical phases (approvals and construction) and the intellectual property that they accumulated in developing the business case, site selection matrix, grant application and pre-approvals, is probably indicative of why the other invited consultants did not submit.

That withstanding, given the schedule of rates is compliant with the WALGA preferred supplier panel rates and the RFQ response complies with tendering legislation, the Council and staff can be confident that the expertise and pricing is competitive, even though the Council received only one submission.

Consultation

Acting Chief Executive Officer
Operations Manager
Waste Coordinator
Procurement Coordinator
WALGA Procurement and Category Manager

Statutory Environment

Local Government Act 3.57
Part 4 of the Local Government (Functions and General) Regulations 1996.

Financial Implications

The consultancy costs associated with the overall project, whilst estimated separately, have been embedded in the overall project estimates. The estimated costs from Talis for all aspects of the works reflects those estimates within the grant application and our overall project estimates. The estimated costs are based on schedules of rates supplied under the recently endorsed Waste Consultancy Panel RFT.

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Additionally, all elements of the works will have specific Scopes of Works (SoW) developed with separate cost estimates for greater transparency of the expenditure associated with the services.

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

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 "Medium". The Medium level of risk is an outcome of utilising the services of an external consultant with significant intellectual property (IP) in the project. Additionally the project is being managed internally by the Director Infrastructure Services to ensure appropriate internal resourcing is allocated.

Policy Implications

Policy FIN12 Shire of Ashburton 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

Officers Recommendation and Council Decision

MOVED: Cr M Lynch

SECONDED: Cr L Rumble

That with respect to RFQ 69/17 Consultancy Services for the Pilbara Regional Waste Management Facility, Onslow WA, Council:

- 1. Award the Contract to Talis Consultants;**
- 2. Authorise the Acting Chief Executive Officer to award the Contract to the appointed Consultant for the period of the works; and**
- 3. Authorise the Acting Chief Executive Officer to manage the Contract, including variations, providing this does not exceed the project budget or reduce the overall scope.**

CARRIED 5/3

**Councillors White, Rumble, Gallanagh, Lynch and Diver voted for the motion
Councillors Dias, Thomas and Foster voted against the motion**

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16. COUNCILLOR AGENDA ITEMS / NOTICES OF MOTIONS

Nil

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

Council Decision

MOVED: Cr P Foster

SECONDED: Cr M Lynch

That Council considers the following New Business of an Urgent Nature:

17.1 ONSLOW SPORTS CLUB BUILDING ACQUISITIONS

CARRIED 8/0

Councillors White, Rumble, Dias, Thomas, Foster, Diver, Lynch and Gallanagh voted for the motion

17.1 ONSLOW SPORTS CLUB BUILDING ACQUISITIONS

MINUTE: 258/2017

FILE REFERENCE: RC30686
CP62

AUTHOR'S NAME AND POSITION: Dale Stewart
Acting Chief Executive Officer

AUTHORISING OFFICER AND POSITION: Dale Stewart
Acting Chief Executive Officer

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 24 October 2017

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 is requested to consider supporting amending the Budget to accommodate acquisition and storage (temporarily) of a number of transportable buildings (7) and associated furniture from the Wheatstone Brolga Camp in Onslow, to subsequently place on site at the Onslow Sports Club as a replacement Sports Club on Reserve 30686, Third Avenue, Onslow.

ATTACHMENT 17.1

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Background

The Council staff and Onslow Sports Club Inc. have been negotiating with Chevron for the last few months regarding the potential for acquiring the former Tavern and two dedicated male / female accessible ablution blocks from the Brolga Camp at one of the construction camps at Wheatstone, which has to be decommissioned (demolished or relocated) by the end of December 2017 to comply with their State Development conditions.

Additional facilities able to be acquired free of charge include associated modern furniture and accessories including a pool table, bar furniture, built in large cool room etc.

Comment

Chevron staff have advised that they require a decision from the Council and / or Sports Club urgently, as they have contracted a firm (Ertech) to decommission / demolish the existing buildings to comply with their deadline.

Council staff have been in discussion with the Sports Club who are keen to acquire the buildings to replace their aging demountable buildings known as the existing Sports Club. The new (10 years) old buildings have been inspected by staff and the Club, are cyclone rated and structurally sound and should last another 40 years with normal maintenance. They just need to be relocated, stored and then repositioned once existing buildings (with asbestos) are demolished.

The new buildings replace a 220 person facility with a more modern and open facility. Noting that Racing, Gaming and Liquor will need to assess the licensed capacity of the Liquor Licence following redevelopment.

Replacing the existing facility with a purpose built facility of similar size could be in the vicinity of \$4.5m (or more) and if the Council was expected to contribute to such a facility, it could be argued that a reasonable contribution would be at least one third, or approximately \$1.5 Million. This would need to be funded from loan funds or indeed, if agreed by the parties, an entire years allocation from the Onslow Community Development Fund.

Staff are confident that existing infrastructure (power, sewer and water) at the Sports Club grounds are adequate for the larger facility, however car-parking will need to be assessed with the greater capacity. A development application will be lodged by the Council on behalf of the Sports Club for demolition / replacement in due course.

Funding for the acquisitions (buildings, ablutions, furniture and equipment and sea containers for storage) and their temporary placement (cyclone rated tie downs etc) at the old Airport Camp (owned by Council) is however urgently required if the buildings are to be retained for community use and benefit (and not just demolished). Planning approval for temporary (up to 12 months) storage is not required to be obtained as it is deemed to be exempt for short term storage.

It is envisaged that detailed planning processes can then be undertaken in the next two months with a planning application lodged and subject to this process, demolition and reposition of the new facilities undertaken in a 2-3 month window thereafter in liaison with the Club.

Consultation

Acting Chief Executive Officer
Director Strategic and Community Development
Director Development & Regulatory Services
Manager Facilities

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Statutory Environment

Apart from amending the Budget (section 6.8 of the Local Government Act 1995), the only relating statutory provisions are the Planning and Development Act 2005 (demolition and development approval) and Liquor Licensing Act 1988 (responsibility of the applicant being the Onslow Sports Club).

Financial Implications

Acquisition, relocation of eight transportable buildings (six make up the tavern) and associated rent or acquisition of sea containers for storing furniture and equipment, and securing those assets at the former Airport Camp utilising existing tie downs where practical, is envisaged to cost \$60,000, however the Budget request is to accommodate unforeseen circumstances and is requested to be up to \$100,000.

A suggested draw down from the budget line entitled 'Projects to be identified', is proposed, which has a remaining balance of \$212,500 (see officer report 13.1).

The Sports Club has known cash reserves to improve the facility of over \$100,000 and it is expected that negotiations will be fruitful for the Club to contribute to the new facility, notwithstanding that they will lose some income from trading for several months. This is detail that can be negotiated between the parties and subject to a subsequent report to Council to approve the expenditure and contributions. The key at present is to secure (or not) the assets that have been deemed suitable for a replacement tavern (club).

Opportunity also exists for contribution for worthwhile capital projects over \$250,000 from the Onslow Community Development Fund, administered by the former Department of State Development (now Jobs, Tourism, Science and Innovation) and it is suggested that additional contributions for the project can therefore be covered by this fund.

Total expenditure on the completed project is expected to be in the order of the following (details to be confirmed);

- | | |
|---|-----------|
| • Acquisitions, securing and transport of assets | \$100,000 |
| • Relocation of assets and affixing in-situ on site | \$ 70,000 |
| • Decommission of former assets | \$100,000 |
| • Commissioning and fitout on site | \$180,000 |

Total expenditure \$450,000

Income envisaged

- | | |
|------------------------------|-----------|
| • Onslow Sports Club | \$100,000 |
| • Shire of Ashburton | \$100,000 |
| • Community Development Fund | \$250,000 |

Total income \$450,000

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027

- Goal 1 – Vibrant and Active Communities
- Objective 1 – Connected, caring and engaged communities
- Objective 2 – Sustainable Services, Clubs, Associations and Facilities

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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'. It is proposed that a Development and Funding Plan be developed and agreed by Council should Council decide to acquire the assets on behalf of the Onslow Sports Club and Community.

Policy Implications

There are no policy implications for this matter.

Voting Requirement

Absolute Majority Required

Officers Recommendation and Council Decision

MOVED: Cr P Foster

SECONDED: Cr M Lynch

That with respect to the decommissioned Brolga Camp Tavern and Ablution Facilities, Council approve the following:

- 1. Amend the 2017/18 Budget as follows;**
 - a. Decrease Expenditure Account 092271, Projects to be identified by \$100,000 from \$212,500 to \$112,500; and**
 - b. Create Capital Expenditure Account Onslow Sports Club with an amount of \$100,000; and**
- 2. Authorise the Acting Chief Executive Officer to secure the former tavern, ablutions and associated furniture and equipment from the Brolga Camp and to;**
 - a. Temporarily store and secure those assets at the former Airport Camp; and**
 - b. Negotiate with the Onslow Sports Club and Onslow Community Development Fund appropriate pro-rata financial contributions to replacing the existing aging facility with the final expenditure, and any additional net Council expenditure required if any, and the proposed negotiated funding and total proposed expenditure being approved by the Council.**

CARRIED BY ABSOLUTE MAJORITY 8/0
Councillors White, Rumble, Dias, Foster, Thomas, Lynch, Gallanagh and Diver
voted for the motion

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.

There were no Confidential Items.

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19. NEXT MEETING

The next Ordinary Meeting of Council will be held on 21 November 2017, at the Ashburton Hall, Ashburton Avenue, Paraburdoo commencing at 1.00 pm.

20. CLOSURE OF MEETING

There being no further business to discuss the Presiding Member closed the meeting at 3.45 pm.