



**SHIRE OF ASHBURTON
PILBARA REGIONAL WASTE
MANAGEMENT FACILITY (PRWMF)
COMMITTEE**

MINUTES

**Ashburton Hall, Ashburton Avenue,
Paraburdoo
19 June 2018**

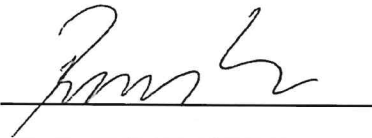
MINUTES - PILBARA REGIONAL WASTE MANAGEMENT FACILITY (PRWMF) COMMITTEE
19 JUNE 2018

SHIRE OF ASHBURTON

PILBARA REGIONAL WASTE MANAGEMENT FACILITY (PRWMF) COMMITTEE MEETING

The Chief Executive Officer recommends the endorsement of these minutes at the next Pilbara Regional Waste Management Facility (PRWMF) Committee Meeting.

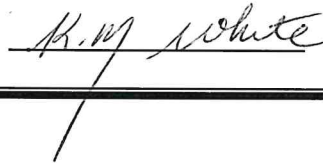
CEO:



Date: 19/06/2018

These minutes were confirmed by the Committee as a true and correct record of proceedings of the Pilbara Regional Waste Management Facility (PRWMF) Committee Meeting held on 19 June 2018.

Presiding Member:



Date: 12 / 3 / 2018 2019

DISCLAIMER

The recommendations contained in the Agenda are subject to confirmation by the Committee and/or endorsement by the 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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1. DECLARATION OF OPENING

The Presiding Member declared the meeting open at 11.53 am.

1.1 ACKNOWLEDGEMENT OF COUNTRY

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

2. ATTENDANCE

2.1 PRESENT

Members:	Cr K White Cr D Diver Cr M Lynch	Onslow Ward (Presiding Member) Tom Price Ward Tom Price Ward
Staff:	Mr R Paull Mr K Hannagan Ms J Smith	Chief Executive Officer Acting Director Infrastructure Executive Officer
Guests:	Cr L Rumble Cr P Foster Cr D Dias	Paraburdoo Ward Tom Price Ward Paraburdoo Ward
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.	

2.2 APOLOGIES

2.3 APPROVED LEAVE OF ABSENCE

3. ANNOUNCEMENT OF VISITORS

4. DECLARATION BY MEMBERS

4.1 DUE CONSIDERATION BY COUNCILLORS TO THE AGENDA

Councillors White, Diver and Lynch are requested to acknowledge during the meeting that they have given due consideration to all matters contained in the Agenda.

4.2 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:

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- (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.
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.

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- Final documented designs before presentation to Council for endorsement; and
- Project progress reports and major variation requests during construction.

Meeting cycle: As required.

7. AGENDA ITEMS

7.1 PILBARA REGIONAL CLASS IV WASTE MANAGEMENT FACILITY, ONSLOW - PROJECT PROGRESS REPORT, APRIL 2018

MINUTE: 378/2018

FILE REFERENCE:	WM07
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Acting Director Infrastructure Services
AUTHORISING OFFICER AND POSITION:	Rob Paull Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	12 May 2018
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

This report provides an update on the progress of the Pilbara Regional Class IV Waste Management Facility (PRWMF) at Onslow as at April 2018. The report outlines the current works and details of each task including the outcomes of site investigations. The required future works are also detailed and the proposed timeframes for completion.

Background

Talis Consultants are required to provide the Shire with monthly progress reports. Attached is the April 2018 Progress Report.

ATTACHMENT 7.1

Comment

The project is generally tracking against the timelines set in the Gant Chart contained in the last page of the attached report.

Consultation

Consultation is currently underway with Approval Authorities and to date the Shire has been represented by the Shire President, Chief Executive Officer and Acting Director of Infrastructure.

Community consultation commenced in May 2018.

Statutory Environment

Local Government Act 1995 Part 5, Division 2

S5.8. *Establishment of committees*

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

** Absolute majority required.*

Financial Implications

There are no financial implications in this matter.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027

Goal 4 – Quality Services and Infrastructure

Objective 1 – Quality Public Infrastructure

Risk Management

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Framework. The perceived level of risk from the Risk Matrix is "Moderate (6)" considering the potential impacts to external contractual arrangements. As the Risk Acceptance is "Medium", the Director Infrastructure Services will monitor progress of this item.

Policy Implications

ELM10 Financial Sustainability Policy

ENG09 Asset Management Policy

Voting Requirement

Simple Majority Required

Officers Recommendation and Committee Decision

MOVED: Cr M Lynch

SECONDED: Cr D Diver

That the Pilbara Regional Class IV Waste Management Facility Committee recommend to Council to note the April 2018 Project Progress Update for the Pilbara Regional Waste Management Facility project in Onslow.

CARRIED 3/0

Crs White, Diver and Lynch voted for the motion

**7.2 PILBARA REGIONAL CLASS IV WASTE MANAGEMENT FACILITY,
ONSLow - PROJECT PROGRESS REPORT, MAY 2018**

MINUTE: 379/2018

FILE REFERENCE:	WM07
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Acting Director Infrastructure Services
AUTHORISING OFFICER AND POSITION:	Rob Paull Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	6 June 2018
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

This report provides an update on the progress of the Pilbara Regional Class IV Waste Management Facility (PRWMF) at Onslow as at 31 May 2018. The report outlines the current works and details of each task including the outcomes of site investigations. The required future works are also detailed and the proposed timeframes for completion.

Background

Talis Consultants are required to provide the Shire with monthly progress reports. Attached is the May 2018 Progress Report.

ATTACHMENT 7.2

Comment

The project is generally tracking against the timelines set in the Gant Chart contained in the last page of the attached report.

Consultation

Consultation is currently underway with Approval Authorities and to date the Shire has been represented by the Shire President, Chief Executive Officer and Acting Director of Infrastructure.

Community consultation commenced in May 2018.

Statutory Environment

Local Government Act 1995 Part 5, Division 2

S5.8. *Establishment of committees*

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

** Absolute majority required.*

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 1 – Quality Public Infrastructure

Risk Management

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Framework. The perceived level of risk from the Risk Matrix is "Moderate (6)" considering the potential impacts to external contractual arrangements. As the Risk Acceptance is "Medium", the Director Infrastructure Services will monitor progress of this item.

Policy Implications

ELM10 Financial Sustainability Policy

ENG09 Asset Management Policy

Voting Requirement

Simple Majority Required

Officers Recommendation and Committee Decision

MOVED: Cr M Lynch

SECONDED: Cr D Diver

That the Pilbara Regional Class IV Waste Management Facility Committee recommend to Council to note the May 2018 Project Progress Update for the Pilbara Regional Waste Management Facility project in Onslow.

CARRIED 3/0

Crs White, Diver and Lynch voted for the motion

**7.3 PILBARA REGIONAL CLASS IV WASTE MANAGEMENT FACILITY,
ONSLOW - WASTE TRANSFER STATION - ONSLOW**

MINUTE: 380/2018

FILE REFERENCE:	WM07
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Acting Director Infrastructure Services
AUTHORISING OFFICER AND POSITION:	Rob Paull Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	1 June 2018
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

For the Committee to note the findings and recommendations of the future operation review of the Onslow Waste Transfer Station (WTS).

Background

As detailed in PRWMF Committee Report April 2018, the Shire engaged Talis to undertake detailed financial modelling to determine the financial implications of continuing to operate the existing Onslow WTS (Scenario 1) compared with developing a new WTS at the PRWMF Site (Scenario 2). The assessment also included the estimated community cost and a technical assessment of each scenario.

Financial Assessment Summary

The financial modelling included the following financial aspects for both scenarios over a 20-year period:

- Construction (capital costs);
- Operational costs; and
- Haulage costs.

These costs are summarised in Table 1 below.

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Table 1: Cost Comparison Summary for Scenario 1 and 2 - Total Costs up to 2039

Aspect	Scenario 1	Scenario 2
Capital Costs (2019)	-	\$2,454,405
Operational Costs (2020-2039)	\$6,222,528	\$5,243,856
Haulage Costs	\$589,841	\$330,311
TOTAL	\$6,812,370	\$8,028,572

The modelling indicated that continuing to operate the WTS (Scenario 1) would be 15% cheaper over 20 years at \$6.18 million compared with a new Community Drop Off at the PRWMF (Scenario 2) at \$8.03 million. This equates to a cost saving of \$2.42 million over 20 years.

Community Cost

A comparison of the cost of travelling to the WTS (Scenario 1) or the PRWMF Community Drop off (Scenario 2) was undertaken.

The Australian Taxation Office's 2016-17 mileage rate of \$0.66 per kilometre was adopted in order to quantify the community's additional travel costs and it was assumed, based on available data, that each household made three trips per year.

Table 2: Community Cost Summary

Scenario	Additional Travel Distance from Onslow town site (one way)	Additional Travel time (return from Onslow)	Increase in Cost per trip (2020)	Increase in Cost per household/year (2020)	Total Annual Increased Cost to Community (2020)	Total Increased Cost to Community (20 years)
1	0km	0 mins	\$0.00	\$0.00	\$0.00	\$0.00
2	30km	35 mins	\$33.62	\$100.86	\$89,534	\$2,722,347

When projecting these costs over 20 years, the total increased cost to the community equates to \$2.72 million.

Technical Assessment Summary

The technical implication of the two scenarios were also assessed including level of service to the local community, labour and plant resources, licencing requirements and potential risks. The key technical aspects considered are outlined below.

Table 3: Technical Assessment Summary

Technical Aspect	Comment	Preferred Scenario
Level of Service	Retaining the existing WTS in close proximity to the town would continue to provide the community with a convenient drop off location.	Scenario 1

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Littering and Illegal Dumping	Closure of the WTS would potentially increase the risks of littering and illegal dumping compared with Scenario 1 due to increased costs and time.	Scenario 1
New Facility Capital Cost Funding	Constructing a new community drop off at the PRWMF (Scenario 2) would require significant capital cost outlay. There are no additional capital costs anticipated if the WTS was retained.	Scenario 1
Labour and Plant requirements	Scenario 2 provides the Shire with greater opportunities to utilise its plant and resources due to the other activities anticipated on site at the PRWMF.	Scenario 2

Comment

From both a financial and technical perspective, Scenario 1, retaining the existing Waste Transfer Station was considered to be the preferred scenario. The following benefits of the Shire retaining the WTS once the PRWMF is operational include:

- Reduced costs to the Shire over 20 years under Scenario 1 compared with Scenario 2;
- No need to source additional funding for Community Drop Off capital works (\$2.45 million);
- The Shire would continue to provide the community with a convenient location to drop off waste, maintaining the current level of service; and
- No additional time and cost to the community for travelling to drop off their waste.

A full copy of the Talis WTS letter report is attached.

ATTACHMENT 7.3

Consultation

A briefing to the Onslow community was undertaken on 22 April 2018 where matters including the Pilbara Regional Class IV Waste Management Facility and retention of the Waste Transfer Station were discussed.

Statutory Environment

Local Government Act 1995 Part 5, Division 2

S5.8. Establishment of committees

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

** Absolute majority required.*

Financial Implications

As per this report and attached.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027

Goal 4 – Quality Services and Infrastructure

Objective 1 – Quality Public Infrastructure

Risk Management

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Framework. The perceived level of risk from the Risk Matrix is "Moderate (6)" considering the potential impacts to external contractual arrangements. As the Risk Acceptance is "Medium", the Director Infrastructure Services will monitor progress of this item.

Policy Implications

ELM10 Financial Sustainability Policy
ENG09 Asset Management Policy

Voting Requirement

Simple Majority Required

Officers Recommendation and Committee Decision

MOVED: Cr M Lynch

SECONDED: Cr D Diver

That the Pilbara Regional Class IV Waste Management Facility Committee recommend to Council to:

- 1. Retain the existing Onslow Waste Transfer Station (WTS), once the PRWMF is operational, as a community drop off facility to continue to provide a convenient and cost-effective service to the community;**
- 2. Assess the cost saving measures for the WTS including reduced hours and potential plant and labour sharing across other activities including the PRWMF; and**
- 3. Request the Chief Executive officer to engage with local commercial waste generators and contractors as part of the Shire's PRWMF community consultation process to obtain views on the potential future service offerings at the WTS and PRWMF for commercial waste.**

CARRIED 3/0

Crs White, Diver and Lynch voted for the motion

7.4 PILBARA REGIONAL CLASS IV WASTE MANAGEMENT FACILITY, ONSLow - LAND TENURE

MINUTE: 381/2018

FILE REFERENCE:	WM07
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Acting Director Infrastructure Services
AUTHORISING OFFICER AND POSITION:	Rob Paull Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	1 June 2018
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

This report provides an update on the progress on Council Resolution of 21 November 2017 – Request for Management Order, for the purpose of Waste Management, for the Pilbara Regional Waste Management Facility.

Background

At Council's November 2017 meeting Council Resolved to request from the Department of Planning Lands and Heritage (DPLH) for a Management Order, for the purpose of Waste Management, for the Pilbara Regional Waste Management Facility.

Comment

The Shire President and Officers have met with DPLH on several occasions to try and progress this matter. The main points of discussion have been in relation to Native Title and the Exploration Licence over the land.

The Shire has requested DPLH to consider compulsory acquisition of the land to resolve the issue of Native Title sooner, rather than later. Advice has now been received from DPLH advising that:

"Where the Shire's current and future plans for the land require that native title is extinguished, compulsory acquisition is required to be undertaken. Compulsory acquisition of native title rights and interests will be subject to the procedure and rights set out in Subdivisions P of the NTA.

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Mining rights and interests will also need to be taken to ensure that native title rights and interests are extinguished.”

In relation to the Exploration Licence DPLH have advised:

“As discussed at our recent meeting with JTSI, the Department of Mines, Industry Regulation and Safety (DMIRS) has requested that the project area is relocated due to the presence of a sand dune identified as being of mining interest in relation to exploration license E08/2618. Officers of the Department, JTSI and DMIRS have since met to discuss the matter and as a result, the Department has provided DMIRS with updated details regarding the project area as well as the relevant NTA provisions and treatment of mining interests. It is anticipated that a response from DMIRS should be obtained soon.”

Furthermore, DPLH have advised that:

“It should be noted that as native title may exist in the land, compensation may be payable to native title parties for the impact to their rights and interests. On the 16 November 2017, the Shire confirmed in writing its agreement to indemnify the State and the Minister against any future claims for compensation arising from the creation of tenure for the Facility (copy enclosed). Once issues relating to mining interests have resolved and the matter may proceed, the Department intends to carry out the creation of tenure relying on this indemnity as confirmation that the Shire will be assume liability for any compensation arising from the creation of tenure for the Facility.

In order to progress the matter, the Department is organising for survey instructions to be issued to the Shire's nominated surveyor. This will allow for preparation of a graphic to support the creation of a reserve. In addition to this, the Department has sent an update regarding the change in project area to the Department of Biodiversity, Conservation and Attractions (DBCA) as the agency which currently manages the project area and surrounding land.”

The Shire will now await response from DMIRS regarding the Exploration Licence.

ATTACHMENT 7.4A
ATTACHMENT 7.4B

Consultation

Department of Jobs, Tourism, Science and Innovation
Department of Planning Lands and Heritage
Department of Mines, Industry Regulation and Safety
Department of Biodiversity, Conservation and Attractions

Statutory Environment

Local Government Act 1995 Part 5, Division 2

S5.8. *Establishment of committees*

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

** Absolute majority required.*

Financial Implications

Unknown at this stage.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027

Goal 4 – Quality Services and Infrastructure

Objective 1 – Quality Public Infrastructure

Risk Management

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Framework. The perceived level of risk from the Risk Matrix is "Moderate (6)" considering the potential impacts to external contractual arrangements. As the Risk Acceptance is "Medium", the Director Infrastructure Services will monitor progress of this item.

Policy Implications

ELM10 Financial Sustainability Policy

ENG09 Asset Management Policy

Voting Requirement

Simple Majority Required

Officers Recommendation and Committee Decision

MOVED: Cr D Diver

SECONDED: Cr M Lynch

That the Pilbara Regional Class IV Waste Management Facility Committee recommend to Council to note the update from Department of Planning Lands and Heritage in relation to the Shire's request for a Management Order, for the purpose of Waste Management, for the PRWMF project in Onslow.

CARRIED 3/0

Crs White, Diver and Lynch voted for the motion

**7.5 PILBARA REGIONAL CLASS IV WASTE MANAGEMENT FACILITY,
ONSLow - PUBLIC WORKS EXEMPTION**

MINUTE: 382/2018

FILE REFERENCE:	WM07
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Acting Director Infrastructure Services
AUTHORISING OFFICER AND POSITION:	Rob Paull Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	1 June 2018
DISCLOSURE OF FINANCIAL INTEREST:	The author and authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

Committee is requested to recommend to Council to accept the development of the Pilbara Regional Class IV Waste Management Facility (PRWMF) as public works under the *Public Works Act 1902* (PW Act) and therefore exempt from development approval.

Background

In regards to 'public work', section 6 of the *Planning and Development Act 2005* (PD Act) indicates:

6. *Public works, Act does not interfere with*
 - (1) *Subject to section 5(2) and (3) and subsections (2) and (3) of this section, **nothing in this Act interferes with the right of the Crown, or the Governor, or the Government of the State, or a local government —***
 - (a) *to undertake, construct or provide any public work; and*
 - (b) *to take land for the purposes of that public work.*
 - (2) *Rights referred to in subsection (1) are to be **exercised having regard to***
—

- (a) ***the purpose and intent of any planning scheme that has effect in the locality where, and at the time when, the right is exercised; and***
- (b) *the orderly and proper planning, and the preservation of the amenity, of that locality at that time.*
- (3) *The responsible authority is to be consulted at the time when a proposal for any public work, or for the taking of land for a public work, is being formulated to ensure that the undertaking, construction, or provision of, or the taking of land for, the public work will comply with subsection (2).*

*emphasis above added by author

Section 4 of the PD Act defines 'public work' to include:

"any public work as defined in the Public Works Act 1902"

The definition of 'public work' in section 2 of the PW Act does not specifically refer to facilities for the management of waste however does relevantly include:

"(a) every work which the Crown, or the Governor, or the Government of Western Australia, or any Minister of the Crown, or any local authority is authorised to undertake under this or any other Act;"

Under section 50(1) of the *Waste Avoidance and Resource Recovery Act 2007 (WARR Act)* local governments are authorised to provide waste services in the following terms:

"(1) Subject to this Act and the EP Act, a local government may provide, or enter into a contract for the provision on its behalf, of waste services"

The term 'waste service' is defined in section 4 of the WARR Act in the following terms:

"waste service means —

- (a) the collection, transport, storage, treatment, processing, sorting, recycling or disposal of waste; or*
- (b) the provision of receptacles for the temporary deposit of waste; or*
- (c) the provision and management of waste facilities, machinery for the disposal of waste and processes for dealing with waste;"*

Comment

The PRWMF is a "waste service", which the Shire is authorised to undertake pursuant to section 50(1) of the WARR Act. It follows that the PRWMF would constitute a 'public work' defined in section 2 of the PW Act as it falls within paragraph (a) of the definition in that Act and therefore also within the definition of 'public work' in section 4 of the PD Act.

In principle what the discussion above means is that no development application is required for the PRWMP under the PD Act, however the use of the exemption is to be exercised having regard to the 'purpose and intent' of any planning scheme that has effect in the locality at that time. It is noted that in the past, the Shire when undertaking significant capital projects has used of the development assessment process especially where there has not been other statutory mechanisms to ensure public scrutiny.

In respect to the PRWMF facility however it is recommended that the public works exemption be applied without a pursuing planning approval (from the Shire) given the project will be subject to significant scrutiny as part of the environmental approvals process.

As such, it is recommended that a 'section 6' report under the of the PD Act be prepared and presented to the Committee for 'noting' to show consistency with the purpose and intent of the Scheme, once all of the relevant State level environmental approvals have been issued for the development. The establishment of the PRWMF Committee of Council and the proposed public information program for the project is expected to provide a high level of transparency and opportunity for public comment.

Consultation

Director Development & Regulatory Services
Acting Director Infrastructure Services

Statutory Environment

As referred under 'Background' to this report.

Financial Implications

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

Strategic Implications

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

Risk Management

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Framework. The perceived level of risk from the Risk Matrix is "Moderate (6)" considering the potential impacts to external contractual arrangements. As the Risk Acceptance is "Medium", the Director Infrastructure Services will monitor progress of this item.

Policy Implications

ELM10 Financial Sustainability Policy
ENG09 Asset Management Policy

Voting Requirement

Simple Majority Required

Officers Recommendation and Committee Decision

MOVED: Cr D Diver

SECONDED: Cr M Lynch

That the Pilbara Regional Class IV Waste Management Facility Committee recommend to Council to:

- 1. Accept the development of the PRWMF as public works under the *Public Works Act 1902* and therefore exempt from development approval; and**
- 2. Once all of the relevant State level environmental approvals have been issued for the development of the PRWMF, request the Chief Executive Officer to arrange for a 'section 6' report for 'noting' under the *Planning and Development Act 2005* to show consistency with the purpose and intent of the Scheme.**

CARRIED 3/0

Crs White, Diver and Lynch voted for the motion

**7.6 PILBARA REGIONAL CLASS IV WASTE MANAGEMENT FACILITY,
ONSLow - COMMUNITY AND STAKEHOLDER ENGAGEMENT
STRATEGY**

MINUTE: 383/2018

FILE REFERENCE:	WM07
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Acting Director Infrastructure Services
AUTHORISING OFFICER AND POSITION:	Rob Paull Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	6 June 2018
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

For the Committee to consider community consultation documents developed for the Pilbara Regional Class IV Waste Management Facility (PRWMF) and the proposed consultation methods.

Background

The Shire recognises the importance of undertaking community consultation throughout the development of the project to ensure any community concerns and feedback are considered and to ensure the PRWMF meets the needs of the Onslow community. Therefore, the Shire has engaged Talis to develop a number of documents to help facilitate this process.

Comment

The community consultation documents that are currently being developed include:

- Community and Stakeholder Engagement Strategy
- Frequently Asked Questions
- Advertising material - Poster

Community and Stakeholder Engagement Strategy

To align with the Shire's Council Policy ADM08: Community Engagement Policy, a Community and Stakeholder Engagement Strategy has been prepared to detail the proposed methods for engagement for both Stakeholders and the Community of Onslow. A range of engagements are

provided and may be implemented as required, at each key stage of the project. A copy of the draft strategy is attached for consideration. The final strategy will be issued following any feedback and comments from the Committee.

ATTACHMENT 7.6A

Frequently Asked Questions

Following the community consultation workshop undertaken in Onslow on the 21 May 2018, it has been suggested that a Frequently Asked Questions (FAQs) sheet be prepared to address the variety of comments raised by the community. The FAQs will be accessible on the Shire's website. A copy of the FAQs is attached to this report.

ATTACHMENT 7.6B

Advertising material – Poster

To assist in targeting members of the public that may not have access to information on the website, a poster has been created to be displayed in public access areas including the Shire's buildings. The poster provides a description of the project, why the facility is needed, where it will be located, what is a Class IV landfill, what environmental approvals are required and when the PRWMF will be constructed. A copy of the poster is attached to this report.

ATTACHMENT 7.6C

Consultation

Consultation is currently underway with Approval Authorities and to date the Shire has been represented by the Shire President, Chief Executive Officer and Acting Director of Infrastructure.

Community consultation commenced in May 2018.

Statutory Environment

Complies with all statutory requirements.

Financial Implications

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

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022

Goal 4 – Quality Services and Infrastructure

Objective 1 – Quality Public Infrastructure

Risk Management

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Framework. The perceived level of risk from the Risk Matrix is "Moderate (6)" considering the potential impacts to external contractual arrangements. As the Risk Acceptance is "Medium", the Director Infrastructure Services will monitor progress of this item.

Policy Implications

ADM08 - Community Engagement Policy

Voting Requirement
Simple Majority Required

Officers Recommendation and Committee Decision

MOVED: Cr D Diver

SECONDED: Cr M Lynch

That the Pilbara Regional Class IV Waste Management Facility Committee recommend to Council to:

- 1. Adopt the Community and Stakeholder Engagement Strategy as addressed in the report;**
- 2. Accept the Frequently Asked Questions and publishes them on the Shire's website; and**
- 3. Accept the community consultation poster and displays in strategic locations.**

CARRIED 3/0

Crs White, Diver and Lynch voted for the motion

7.7 PILBARA REGIONAL CLASS IV WASTE MANAGEMENT FACILITY, ONSLow - REVIEW OF FINANCIAL MODEL

MINUTE: 384/2018

FILE REFERENCE:	WM07
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Acting Director Infrastructure Services
AUTHORISING OFFICER AND POSITION:	Rob Paull Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	6 June 2018
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

For the Committee to note the findings of the Review of the Financial Model in relation to the Pilbara Regional Class IV Waste Management Facility (PRWMF) at Onslow.

Background

As detailed in the report submitted to the PRWMF Committee in April, a full financial model was prepared in 2013 to evaluate the financial feasibility of the proposed PRWMF. This original modelling work determined the capital and operational costs required for the development of the PRWMF over a 20 year lifespan and calculated a cost per tonne gate fee. The model was re-evaluated in 2016 to include PRWMF design changes and the industry rates of the time. The 2016 figures were utilised to support the application with the Building Better Regions Fund (BBRF) for seed funding for the establishment of the PRWMF.

Talis was awarded the contract for Consultancy Services at the Ordinary Meeting of Council on 24 October 2017. At this time, detailed site investigations were commenced to collect both environmental and engineering data across the site. Due to the requirement to maintain a three metre separation distance from the groundwater, it was determined that the landfill facility should be moved against the ridge of the sand dune so that the relevant engineering and operational materials could be captured. This was a significant design alteration from the original concepts prepared prior to any site investigations.

As the project has advanced further, a variety of other design alterations have arisen. Those of note include:

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- 2 metre high levee bank with rock armoury surrounding the site;
- Increased and additional waste infrastructure based on the latest waste types and volumes;
- Sealing of the entire access road as opposed to the previous 100m fish tail design; and
- Turning pocket and passing lane on Onslow Road to MRWA standard; and
- Inclusion of additional plant.

A variety of these design changes have arisen from involvement of specialist subcontractors (such as the Hydrologist that undertook the flood modelling) as well as preliminary inputs arising from the consultation with the relevant approval authorities.

The Shire and Talis have recognised the project's financial model requires updating as the project progresses to accurately reflect the various design changes as well as the latest market rates. Talis has recently completed this based on the latest conceptual design including the additional infrastructure. The following provides a list of the estimated additional expenditure required to cover the key additional infrastructure identified at this stage:

- Onslow Road Widening and Passing Lane - \$900,000
- Sealing of Access Road - \$560,000
- Additional Infrastructure and Plant - \$750,000
- Stormwater Levee - \$350,000

The costs estimates associated with the current design alterations is \$2.56M. However, it should be noted that Talis are awaiting input from a variety of the specialist subcontractors including a bushfire management plan and feral and pest management plan. Of particular note is the feral and pest management plan which has the potential to upgrade the fencing standard around the whole facility to minimise inputs on the flora and fauna values of the surrounding proposed conservation nature reserve. The final advice on this matter is still to be provided to Talis however the overall cost could be in the order to \$300,000.

Based on the above, it is recommended that the Shire consider increasing its Long Term Financial Plan estimate in the 2019/20 financial year by \$3,000,000 for the PRWMF to cover off on the estimated costs for the various design alterations for the facility. The financial model will continue to be reviewed as the project progresses further to ensure the latest and most accurate costings are determined for the project. Given the complexity of the project, its remote location and that this is the second Class IV facility to be established in the state of WA there is little precedent to gauge definitive likely construction costs.

This additional expenditure would increase the Shire's contribution to the facility from \$2.06M to potentially \$5.06M. It should be recognised that this financial contribution is significantly less than the Shire pursuing a stand alone Class II landfill in the order of \$6M to cater solely for the Onslow community and would not provide the potential economic development opportunities or cost sharing and revenue potential of the PRWMF.

Summary

It is recommended that the Shire consider increasing its' long term financial plan by \$3M in 2019/20 for the PRWMF to cover off on the estimated costs for the various design alterations for the facility. As the project advances, the financial model will continue to be reviewed to ensure the latest and most accurate costings are determined.

Consultation

Consultation is currently underway with Approval Authorities and to date the Shire has been represented by the Shire President, Chief Executive Officer and Acting Director of Infrastructure.

Community consultation commenced in May 2018.

Statutory Environment

Complies with all statutory requirements.

Financial Implications

Increase the project estimate in the Long Term Financial Plan year 2019/20 by \$3 million.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022

Goal 4 – Quality Services and Infrastructure

Objective 1 – Quality Public Infrastructure

Risk Management

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Framework. The perceived level of risk from the Risk Matrix is "Moderate (6)" considering the potential impacts to external contractual arrangements. As the Risk Acceptance is "Medium", the Director Infrastructure Services will monitor progress of this item.

Policy Implications

There are no policy implications for this matter.

Voting Requirement

Absolute Majority Required

Officers Recommendation

That the Pilbara Regional Class IV Waste Management Facility Committee recommend to Council to increase the project estimate for the project in the Long Term Financial Plan year 2019/20 by \$3 million.

Alternative Motion and Committee Decision

MOVED: Cr D Diver

SECONDED: Cr M Lynch

That the Pilbara Regional Class IV Waste Management Facility (PRWMF) Committee recommend to Council to engage a suitably qualified firm to provide Peer Review of work to be undertaken for the project in the following areas:

- **Financial Modelling;**
- **Detailed Designs;**
- **Construction Procurement; and**
- **Operational Procurement.**

CARRIED 3/0

Crs White, Diver and Lynch voted for the motion

Reason for change: Committee sought to ensure that appropriate public scrutiny and governance associated with the cost estimates for the Pilbara Regional Class IV Waste Management Facility (PRWMF).

8. CONFIDENTIAL MATTERS

There were no confidential matters for this meeting.

9. NEXT MEETING

The next Pilbara Regional Waste Management Facility (PRWMF) Committee meeting will be held at a time yet to be determined.

10. CLOSURE OF MEETING

The Presiding Member closed the meeting at 12.14 pm.