



Agenda

Special Council Meeting

Tuesday, 18 April 2023

Date:	Tuesday 18 April 2023
Time:	6:30pm
Location:	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow
Distribution Date:	Thursday 13 April 2023



**Shire of Ashburton
Special Council Meeting**

Please be informed a Special Council Meeting will be held at 6:30pm on Tuesday 18 April 2023 at Council Chambers, Onslow Shire Complex, Second Avenue, Onslow.

A handwritten signature in black ink, appearing to read "Kenn Donohoe".

Kenn Donohoe
Chief Executive Officer
13 April 2023

Disclaimer

The Shire of Ashburton warns anyone who has an application lodged with Council must obtain, and should only rely on, written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by Council in respect of the application. No responsibility whatsoever is implied, or accepted, by the Shire of Ashburton for any act, omission, statement, or intimation occurring during a Council meeting.

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1 Declaration Of Opening

The Presiding Member declared the meeting open at [enter time](#).

Presiding Member Recommendation

In accordance with regulation 14C(2)(b) of the *Local Government (Administration) Regulations 1996*, approves Councillor M Lynch, L Rumble, T Mladenovic, M Gallanagh, R De Pledge, J Richardson to attend the meeting via electronic means, noting they are in instantaneous communication with the meeting.

Cr M Lynch Declaration

In accordance with regulation 14CA(5) of the *Local Government (Administration) Regulations 1996*, I declare that I can maintain confidentiality during the meeting or the closed part of the meeting.

Cr L Rumble Declaration

In accordance with regulation 14CA(5) of the *Local Government (Administration) Regulations 1996*, I declare that I can maintain confidentiality during the meeting or the closed part of the meeting.

Cr T Mladenovic Declaration

In accordance with regulation 14CA(5) of the *Local Government (Administration) Regulations 1996*, I declare that I can maintain confidentiality during the meeting or the closed part of the meeting.

Cr M Gallanagh Declaration

In accordance with regulation 14CA(5) of the *Local Government (Administration) Regulations 1996*, I declare that I can maintain confidentiality during the meeting or the closed part of the meeting.

Cr R De Pledge Declaration

In accordance with regulation 14CA(5) of the *Local Government (Administration) Regulations 1996*, I declare that I can maintain confidentiality during the meeting or the closed part of the meeting.

Cr J Richardson Declaration

In accordance with regulation 14CA(5) of the *Local Government (Administration) Regulations 1996*, I declare that I can maintain confidentiality during the meeting or the closed part of the meeting.

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, present and emerging.

2 Announcement Of Visitors

To be informed at the meeting.

3 Attendance

3.1 Present

Elected Members:	Cr K White Cr M Lynch Cr R De Pledge Cr M Gallanagh Cr L Rumble JP Cr J Richardson Cr T Mladenovic	Shire President (Presiding Member), Onslow Ward Deputy Shire President, Tom Price Ward (via electronic means) Ashburton Ward (via electronic means) Pannawonica Ward (via electronic means) Paraburdoo Ward (via electronic means) Tableland Ward (via electronic means) Tom Price Ward (via electronic means)
Employees:	K Donohoe C McGurk T Dayman R Miller A Lennon J Bray R Marlborough A Furfaro N Cochrane	Chief Executive Officer Director Projects and Procurement Acting Director Corporate Services Director Infrastructure Services Manager Media and Communications Manager Governance Senior Governance Officer Governance Officer Council Support Officer
Guests:	Enter names	
Members of Public:	There were enter number members of the public in attendance at the commencement of the meeting.	
Members of media:	There were enter number members of the media in attendance at the commencement of the meeting.	

3.2 Apologies

Cr A Sullivan Paraburdoo Ward

Cr A Smith Tom Price Ward

3.3 Approved Leave Of Absence

Nil

4 Question Time

4.1 Public Question Time

To be informed at the meeting.

5 Declaration By Members

5.1 Due Consideration By Councillors To The Agenda

Councillors will be requested to note they have given due consideration to all matters contained in this agenda.

5.2 Declaration Of Interest

A member who has an Impartiality, Proximity or Financial interest in any matter to be discussed at this meeting must disclose the nature of the interest either in a written notice, given to the Chief Executive Officer, prior to the meeting, or at the meeting immediately before the matter is discussed.

A member who makes a disclosure in respect to an interest must not preside at the part of the meeting which deals with the matter, or participate in, or be present during any discussion or decision-making process relative to the matter, unless the disclosing member is permitted to do so under Section 5.68 or Section 5.69 of the *Local Government Act 1995*.

The following declarations of interest are disclosed –

8.1 Contract for Consultancy Services - Community Lifestyle and Infrastructure Plan for Tom Price and Paraburdoo	
Name	Cr M Gallanagh
Nature of interest	Direct Financial
Interest description	My husband and I both work for Rio Tinto, live in company housing and own shares in Rio Tinto both individually and collectively to a greater value than the prescribed amount.
Name	Deputy Shire President M Lynch
Nature of interest	Indirect Financial
Interest description	I am an employee of Rio Tinto and a tenant of Pilbara Iron. I am paid a salary from Pilbara Iron.
Name	Cr T Mladenovic
Nature of interest	Direct Financial
Interest description	My partner is employed by Rio Tinto and we live in subsidised housing provided as part of his employment. My partner has shares under the prescribed amount.

Name	Cr L Rumble JP
Nature of interest	Direct Financial
Interest description	I hold shares with Rio Tinto above the prescribed amount.

6 Announcements By The Presiding Member And Councillors Without Discussion

To be informed at the meeting.

7 En Bloc Resolutions

7.1 Agenda Items Adopted En Bloc

To be advised at the meeting.

8 Confidential Matters

8.1 Contract for Consultancy Services - Community Lifestyle and Infrastructure Plan for Tom Price and Paraburadoo

File Reference	CM21.21
Applicant or Proponent(s)	Not Applicable
Author	C McGurk, Director Community Development
Authorising Officer	C McGurk, Director Community Development
Previous Meeting Reference	Nil
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	<ol style="list-style-type: none"> 1. RFT 21.21 Consultancy Services - Community Lifestyle and Infrastructure Plan for Tom Price and Paraburadoo 2. General Conditions of Contract for Consultants - signed 3. Shire of Ashburton CLIP Position Statement 4. Letter of Response to Shire of Ashburton's CLIP Position Statement

Reason for Confidentiality

Section under the Act	<i>This matter is to be considered behind closed doors pursuant to s.5.23(2)(d) and (e) of the Local Government Act 1995 as the subject matter relates to:</i>
Sub-clause and Reason:	<p><i>“s.5.23(2)(d) and (e) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting and a matter that if disclosed, would reveal –</i></p> <ol style="list-style-type: none"> <i>(i) a trade secret; or</i> <i>(ii) information that has a commercial value; or</i> <i>(iii) information about the business, professional, commercial or financial affairs of a person.”</i>

Report Purpose

To consider terminating the consultancy services contract to produce the Community Lifestyle and Infrastructure Plan (CLIP) for Tom Price and Paraburadoo.

Voting Requirements

Simple Majority

9 Next Meeting

The next Ordinary Council Meeting will be held at 1:00pm on Tuesday 9 May 2023 at Council Chambers, Onslow Shire Complex, Second Avenue, Onslow.

10 Closure Of Meeting

There being no further business, the Presiding Member closed the meeting at [enter time](#).