

MINUTES

of the Council Meeting held on

Thursday 24 November 2011
commencing at 5.05 p.m.

in the Council Chambers, Ravensthorpe.

**ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, RAVENSTHORPE
ON 24 NOVEMBER 2011, COMMENCING AT 5.05PM**

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

5.05 PM – Presiding Person, Cr Ian Goldfinch, declared the meeting open.

2. ATTENDANCE / APOLOGIES/ APPROVED LEAVE OF ABSENCE

MEMBERS: Cr Ian Goldfinch (Shire President)
 Cr Keith Dunlop (Deputy Shire President)
 Cr Don Lansdown
 Cr Jan Field
 Cr Julianne Townsend
 Cr Ken Norman
 Cr Andrew Duncan

STAFF: Pascoe Durtanovich (Chief Executive Officer)

APOLOGIES:
 Nil

ON LEAVE OF ABSENCE:
 Nil

ABSENT:
 Nil

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

NIL

4. PUBLIC QUESTION TIME

NIL

5. APPLICATIONS FOR, AND PREVIOUSLY APPROVED, LEAVE OF ABSENCE AND DISCLOSURES OF INTEREST

Cr Ian Goldfinch	Impartiality	10.1.3
Cr Ian Goldfinch	Financial	10.3.1
Cr Ian Goldfinch	Financial	10.4.2
Cr Ian Goldfinch	Financial	10.4.4
Cr Julianne Townsend	Financial	10.3.1
Cr Ken Norman	Financial	10.3.1
Cr Julianne Townsend	Financial	10.4.4

6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

NIL

7. CONFIRMATION OF MINUTES

7.1 Council Meeting – 21 November 2011

COUNCIL DECISION AND OFFICER RECOMENDATION	ITEM 7.1
Moved: Cr Field	Seconded: Cr Duncan
That the minutes of the meeting of Council held on 21 November 2011 be confirmed as a true and correct record of proceedings.	
Carried: 7/0	Res: 234 /11

8. SUSPENSION OF STANDING ORDERS

NIL

9. ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS

NIL

10. REPORTS OF OFFICERS**10.1 Deputy Chief Executive Officer****10.1.1 FINANCIAL STATEMENT FOR THE PERIOD ENDING 31 OCTOBER 2011****File Ref:****Applicant:**

Not applicable

Location:

Not applicable

Disclosure of Officer Interest

None

Date:

14 November 2011

Author:

Brent Bailey – Deputy Chief Executive Officer

Authorising Officer:

Not applicable

Attachments:

Yes – Financial Statements

Summary:

The attached financial statements provide details of the Council's financial activities for the period ending 31 October 2011.

Background:

Nil

Comment:

Nil

Consultation:

Not applicable.

Statutory Obligations:

Section 6.10 of the Local Government Act 1995 (as amended) makes provision for Regulations to be established for the general financial management of the local government. Regulation 35 of the Local Government (Financial Management) Regulations 1996 requires monthly financial reports to be prepared in a prescribed manner.

Policy Implications:

There are no policy implications.

Budget / Financial Implications:

Details as per attached reports.

Strategic Implications:

Nil

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations.
- **Economic:**
There are no known significant economic considerations.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Simple Majority

COUNCIL DECISION AND OFFICER RECOMENDATION	ITEM 10.1.1
Moved: Cr Lansdown	Seconded: Cr Townsend
That pursuant to section 6.10 of the Local Government Act 1995 (as amended) and Regulation 35 of the Local Government (Financial Management) Regulations 1996, the Financial Reports for the periods ended 31 October 2011 be accepted.	
Carried: 7/0	Res: 235 /11

10.1.2 ACCOUNTS FOR PAYMENT – MONTH ENDING 31 OCTOBER 2011

File Ref:

Applicant: Not applicable
Location: Not applicable
Disclosure of Officer Interest: None
Date: 14 November 2011
Author: Brent Bailey – Deputy Chief Executive Officer
Authorising Officer: Not applicable
Attachments: Yes – List of Accounts

Summary:

The lists of accounts paid during the months ending 31 October 2011 are attached for Council’s information.

Background:

Nil

Comment:

Nil

Consultation:

Not applicable.

Statutory Obligations:

Section 6.10 of the Local Government Act 1995 (as amended) makes provision for Regulations to be established for the general financial management of the local government. The following Local Government (Financial Management) Regulations 1996 are addressed in the following list of accounts:

Regulation 13 (2) requires list of accounts paid by authority during the month to be compiled showing:

- a) the payee's name;
- b) the amount of the payment;
- c) the date of the payment;
- d) sufficient information to identify the transaction.

Regulation 13 (3) requires the list referred to in (2) to be-

- a) presented at the next ordinary meeting of council following the preparation of the list; and recorded in the minutes of the meeting at which it was presented.

Policy Implications:

Nil

Budget / Financial Implications:

Details as per report attached.

Strategic Implications:

Nil

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations.
- **Economic:**
There are no known significant economic considerations.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Simple Majority

COUNCIL DECISION AND OFFICER RECOMENDATION	ITEM 10.1.2
Moved: Cr Lansdown	Seconded: Cr Dunlop
That pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996, the payment of accounts for the month of October 2011, be noted.	
Carried: 7/0	Res: 236 /11

10.1.3 APPOINTMENT OF AUDITORS**File Ref:**

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	24 th October 2011
Author:	Brent Bailey – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Quotes from Auditors

Summary:

This item addresses the need for Council to appoint new auditors under Section 7.2 of the Local Government Act 1995. The recommendation is to appoint Lincolns Accountants and Business Advisors as Council's auditors for a three year period.

Background:

For the last three financial years Council has utilised the services of UHY Haines Norton for the provision of audit services. The three year contract has expired and Council is required to appoint another term contract to an approved audit firm.

In light of resource sharing arrangements these quotes have been prepared on the auditors obtaining both Ravensthorpe and Jerramungup Council's audit contracts. Should the Councils appoint different auditors the actual costs may increase slightly due to additional location costs.

Comment:

The scopes of both audits meet statutory guidelines and requirements. UHY Haines Norton has provided a quality service to Council in the past three years and Lincolns have performed well for the Shire of Jerramungup in the previous three years as well.

The scope of audit from UHY Haines Norton is wider and takes into account a number of compliance factors which are subject to review as part of Council's annual compliance return which is submitted to the Department of Local Government. UHY Haines Norton are also an approved auditor under WALGA's preferred supplier arrangements although this quote has not been prepared under that program.

Both Auditors have submitted their base audit quotes as follows:

UHY Haines Norton – \$17,000
Lincolns - \$12,500

Other costs such as travel and accommodation will be surplus to the engagement fees and are detailed in the quotes. Three year contracts will increase by CPI annually for Lincolns and by \$1000 per annum for UHY Haines Norton.

Consultation:

Prospective Auditors have been consulted.

Statutory Obligations:**Division 2 — Appointment of auditors****7.2. Audit**

The accounts and annual financial report of a local government for each financial year are required to be audited by an auditor appointed by the local government.

7.3. Appointment of auditors

- (1) A local government is to, from time to time whenever such an appointment is necessary or expedient, appoint* a person, on the recommendation of the audit committee, to be its auditor.

** Absolute majority required.*

- (2) The local government may appoint one or more persons as its auditor.
- (3) The local government's auditor is to be a person who is —
 - (a) a registered company auditor; or
 - (b) an approved auditor.

[Section 7.3 amended by No. 49 of 2004 s. 6.]

Policy Implications:

Nil

Budget / Financial Implications:

Auditing ensures accuracy, compliance and provides advice to the Council on the financial performance of the organisation. Annual budgets required for audit fees.

Strategic Implications:

Nil

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations.
- **Economic:**
There are no known significant economic considerations.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Absolute Majority.

OFFICER RECOMENDATION

ITEM 10.1.3

That:

1. Council appoints Lincolns Accountants and Business Advisors for a three year term to provide audit services to the Shire of Ravensthorpe.
2. Mr Russell Harrison is appointed as Council's designated auditor for a three year period ending March 2015.
3. All previous auditor appointments are revoked.

COUNCIL DECISION

ITEM 10.1.3

Moved: Cr Goldfinch

Seconded: Cr Norman

That:

1. Council appoints Lincolns Accountants and Business Advisors for a three year term to provide audit services to the Shire of Ravensthorpe.
2. Mr Russell Harrison is appointed as Council's designated auditor for a three year period ending March 2015.
3. All previous auditor appointments are revoked.
4. Subject to meeting Council's timeline for the completion of annual audits.

Motion Lost 4/3

Res: 237/11

Moved Cr Field that this Item lay on the table.

Motion lapsed due to lack of a Secunder.

COUNCIL DECISION

ITEM 10.1.3

Moved: Cr Lansdown

Seconded: Cr Dunlop

That:

1. Council appoints UHY Haines Norton for a three year term to provide audit services to the Shire of Ravensthorpe.
2. Mr Greg Godwin is appointed as Council's designated auditor for a three year period ending March 2015.

Carried by Absolute Majority 7/0

Res: 237 /11

Reason for Change to Officer Recommendation

Council resolved to continue with UHY Haines Norton given the service provided to date and the fact their scope of Audit extends into general compliance issues.

10.1.4 ENGAGEMENT OF ARCHITECTS FOR HOPETOUN COMMUNITY CENTRE**File Ref:****Applicant:**

Not applicable

Location:

Not applicable

Disclosure of Officer Interest:

None

Date:

15 November 2011

Author:

Brent Bailey – Deputy Chief Executive Officer

Authorising Officer:

Not applicable

Attachments:

Quote from H&H Architects

Summary:

This item discusses the architectural fee proposal for the Hopetoun Community Centre. The author has received a quote from a highly reputable firm which has carried out comparable projects in a number of other Great Southern municipalities. The recommendation seeks authorisation to enter into Stage 1 and 2 of the brief for concept designs and master planning.

Background:

Council has proposed to construct a Community Centre in Hopetoun in its long term financial planning and Forward Capital Works Plan. To date there has been a number of workshops and the matter was also discussed with the community at the Annual Electors Meeting. Historical plans for the Community Centre have been researched and it has been determined that the plans need to be updated to meet the current community's needs and provide a better floor plan for the long term sustainability of the centre.

In order to proceed with planning for the Hopetoun Community Centre it is necessary to engage an architecture firm to prepare the necessary plans and concepts for Council consideration and feedback. This progression of this project can continue to this stage in the near future should Council support the engagement of Howard and Heaver Architects.

Comment:

Howard and Heaver are a highly reputable company and have delivered comparable projects as detailed in the attachment. The Shire of Gnowangerup recently used the company's services and has delivered an impressive new community centre of similar size and scope as what Council is considering for the Hopetoun project. This preliminary stage will progress the project to concept planning, consideration of opportunities and constraints, and provide Council with designs which can be used as a basis for community consultation and feedback. Within the scope of the initial engagement is also an indicative costing which will allow administration to commence funding applications and future budgeting.

There has already been workshops and information gathered for the project which will be presented to the architects and the author will work with the company to ensure that this is incorporated into the planning. There is no onus on Council to engage the company for the further stages of the project which are charged as a percentage of the construction cost. The consideration of these future stages will be presented to Council once funding avenues have been secured and the project is progressed to the tender stage.

Consultation:

Community Consultation in a preliminary format has occurred for this project. Once the new concept plans have been developed there will be further opportunities for feedback and revision of the designs.

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

Council currently has funds in the budget for the engagement of consultants - \$20,000 allocated in account 1042220 for 2011/2012. This fee proposal will require \$6,500 in funds to meet stages 1 and 2 of the architects brief and master planning services.

It is likely that this account will be overspent this year due to staff shortages/changes and other projects. This account will be reviewed as part of Council's annual budget review.

Strategic Implications:

The Hopetoun Community Centre is a major project which has been identified in Council's Strategic Plan.

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations.
- **Economic:**
There are no known significant economic considerations.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Simple Majority

OFFICER RECOMENDATION	ITEM 10.1.4
<p>That Council approve the engagement of Howard and Heaver Architects to carry out stages 1 and 2 of the Hopetoun Community Centre Concept Design and Master Planning for an expenditure of \$6,500 exclusive of GST.</p>	

COUNCIL DECISION	ITEM 10.1.4
Moved: Cr Dunlop	Seconded: Cr Townsend
<p>That the Chief Executive Officer be delegated authority to engage a draftsperson / Architect to prepare one line drawings for the proposed Hopetoun Community Centre, to be situated on the existing town hall site, for a cost of up to \$3,000 plus GST.</p>	
AMENDMENT	
Moved: Cr Norman	Seconded: Cr Field
<p>That the draftsperson / Architect prepare drawings incorporating office space, boardroom, community hall and sporting pavilion incorporating all sports disciplines covered by HDRA, sited on the present HDRA pavilion site.</p>	
Lost: 4/3	Res: 238/11
The original motion was put and Carried 6/1	Res: 239/11

Reason for Change to Officer Recommendation

Council considered the cost too high for the standard/content of drawing required at this stage of the proposal.

10.1.5 SALE OF LAND – LOT 74 MORGAN STREET AND LOT 242 MARTIN STREET, RAVENSTHORPE**File Ref:**

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	16 th November 2011
Author:	Brent Bailey – Deputy Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	None

Summary:

This item requests a Council resolution to offer for private contract sale two properties Lot 74 Morgans Street and Lot 242 Martin Street following an unsuccessful process. These lots have both been seized under Schedule 6.3 of the Local Government Act 1995 for failing to pay Council rates over a prolonged period.

Background:

On 18th October 2011 Lot 74 Morgans Street and Lot 242 Martin Street were offered for sale via public auction which was held at the Ravensthorpe Entertainment Centre. The auction failed to attract any bids on either of the properties. Council now has the power to proceed to sell the lots via private contract in accordance with the Local Government Act 1995.

Comment:

As detailed in Council's legal advice the lots should be advertised for sale at the higher price of the valuations obtained by Council. Lot 74 Morgans Street was valued by the auctioning real estate agent at \$65,000 and Lot 242 Martin Street was valued by the auctioning real estate agent at \$45,000.

It is proposed that the property will be advertised for sale through the appointed real estate agent company which conducted the auction being Landmark. Council can then consider any offers for purchase following notification from the real estate agents.

Under Section 6.71 of the Local Government Act 1995 if either property remains unsold for a period of 12 months then the Shire can transfer the property to itself. The date this power becomes available is 18th October 2012.

Consultation:

McLeods Barristers and Solicitors
Landmark

Statutory Obligations:

Local Government Act, 1995 - Schedule 6.3 — Provisions relating to sale or transfer of land where rates or service charges unpaid

Policy Implications:

Nil

Budget / Financial Implications:

Following the sale of these properties Council will collect all unpaid rates and legal charges associated with each property.

Strategic Implications:

Nil

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations.
- **Economic:**
There are no known significant economic considerations.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Simple Majority

COUNCIL DECISION AND OFFICER RECOMENDATION	ITEM 10.1.5
Moved: Cr Lansdown	Seconded: Cr Field
That pursuant to Schedule 6.3 of the Local Government Act 1995 Council resolve:	
<ol style="list-style-type: none"> 1) to offer for sale by private contract Lot 74 Morgans Street with a listing price of \$65,000 with Landmark real estate agents. 2) to offer for sale by private contract Lot 242 Martin Street for a listing price of \$45,000 with Landmark real estate agents. 	
Carried: 7/0	Res: 240 /11

10.1.6 CHRISTMAS CLOSURE**File Ref:**

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	16 th November2011
Author:	Brent Bailey – Deputy Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Nil

Summary:

This item discusses the proposed Christmas closure for Council operations which affects three work days from 28th December 2011 to 30th December 2011.

Background:

As in past years, Council approval is sought for a Christmas-New Year Closure for Councils operations.

Christmas day falls on a Monday, with the Boxing Day holiday on Tuesday. The following week also sees the New Year's Day public holiday fall on a Tuesday.

Comment:

During this period most members of the community are away on holidays as harvesting has generally finished and Christmas School holidays are underway.

The proposal is to close down Council operations as of 4:00pm Friday 23rd December 2011 and return to work on Tuesday 3rd January 2012. Staff will take accrued leave on days shown in the table below.

A total of three Council work days will be affected by this proposal. In the case of emergencies senior staff have mobile phones and can be contacted should the need arise.

Friday 23-Dec	Saturday 24-Dec	Sunday 25-Dec	Monday 26-Dec	Tuesday 27-Dec	Wednesday 28-Dec
Closure	Christmas	Boxing	Christmas	Boxing	<i>Accrued</i>
4pm	Day	Day	Day P/Hol	Day P/Hol	<i>Leave</i>

Thursday 29-Dec	Friday 30-Dec	Saturday 31-Dec	Sunday 1-Jan	Monday 2-Jan	Tuesday 3-Jan
<i>Accrued</i>	<i>Accrued</i>	New Year's		New Year's	Return to Work
<i>Leave</i>	<i>Leave</i>	Day		Day P/Hol	

Previous year's closures have caused difficulties for the organisation and the community in coordinating and accessing the in-store bank operations. This year three trained bank staff have indicated that they will be attending family events outside of the Shire and the remaining staff member is unsure of her family plans for the Christmas break. The branch requires two trained staff members to be situated at the office during opening times.

The author has contacted Westpac and requested assistance with staffing the branch during the period 28th – 30th December. A response is expected prior to the Council meeting and the author will brief the Council further on this matter at that stage.

Consultation:

Not applicable.

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

Nil

Strategic Implications:

Nil

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations.
- **Economic:**
There are no known significant economic considerations.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Simple Majority

COUNCIL DECISION AND OFFICER RECOMENDATION	ITEM 10.1.6
Moved: Cr Field	Seconded: Cr Lansdown
That Council approve a Christmas close down for Council operations from 4.00pm Friday 23 rd December 2011 to Monday 2 nd January 2012, inclusive with staff returning to work on Tuesday 3 rd January 2012, with the exception of the instore banking service which is to remain open from Wednesday 28 December to Friday 30 December inclusive between the hours of 10am to 2pm.	
Carried: 7/0	Res: 241/11

10.2 Manager of Planning and Development

10.2.1 PROPOSED SUBDIVISION GUIDE PLAN – LOT 52 LESCHENAULTIA DRIVE, HOPETOUN
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File Ref:	14.4.5.12
Applicant:	Ayton Baesjou Planning
Location:	Lot 52 Leschenaultia Drive, Hopetoun
Disclosure of Officer Interest:	None
Date:	14 November 2011
Author:	Craig Pursey, Planning Officer
Authorising Officer:	Pascoe Durtanovich – Chief Executive Officer
Attachments:	Attachment 1 – Existing Subdivision Guide Plan Attachment 2 – Proposed Subdivision Guide Plan & supporting documentation

Summary:

Council is to consider initiating a proposed subdivision guide plan for Lot 52 Leschenaultia Drive, Hopetoun.

Lot 52 was zoned ‘Rural Conservation Area 7’ in April 2009, but no subdivision guide plan was adopted over Lot 52 at the time as there were ongoing investigations into the extent of groundwater in the area.

The groundwater investigations have now been completed and a draft subdivision guide plan (SGP) has been lodged for Council’s consideration.

The proposed SGP responds to the site’s opportunities and constraints and meets the requirements of the various applicable planning controls.

Support is recommended for the SGP for the purpose of referral to the relevant government agencies and that it be placed on public advertising for a period of 21 days after which it should be brought back before Council for final approval.

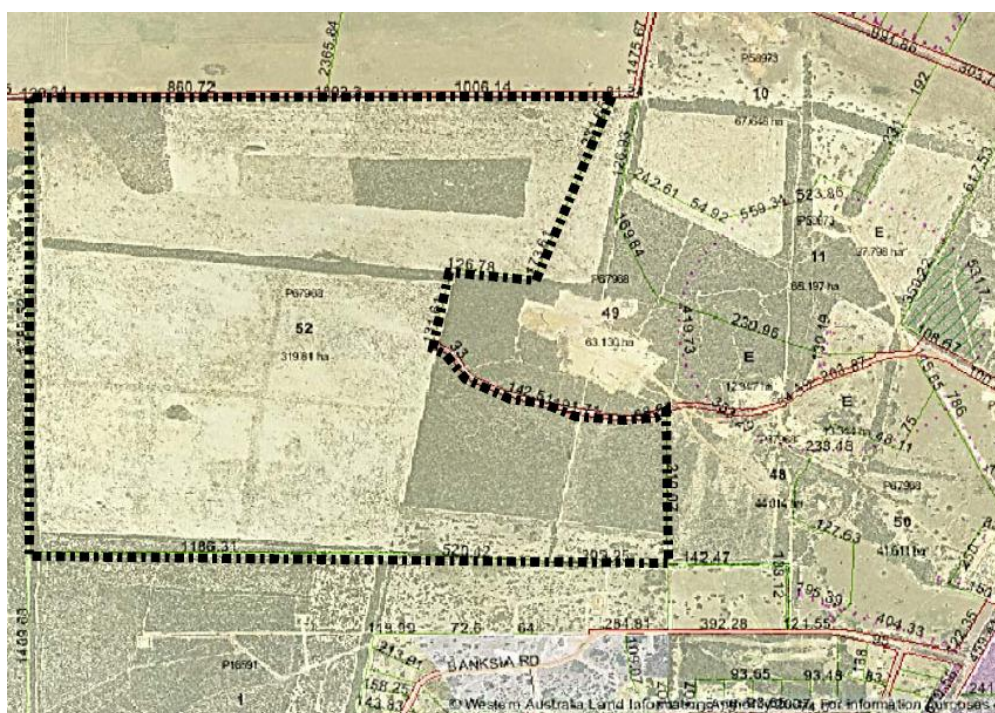
Background:

Site Description

Lot 52 Leschenaultia Drive, Hopetoun (Lot 52) is located approximately 3km to the north of the Hopetoun townsite. Steeredale Road runs along the northern boundary of Lot 52.

Lot 52 is 319.81ha in area. The site is largely cleared with small areas of remnant vegetation. A site plan of Lot 52 is provided overleaf.

The land immediately to the east of Lot 52 was all under the same ownership until the land was rezoned in 2009. It contains a gravel and limestone quarry and wind turbines as well as a portion of land also zoned Rural Conservation Area 7.

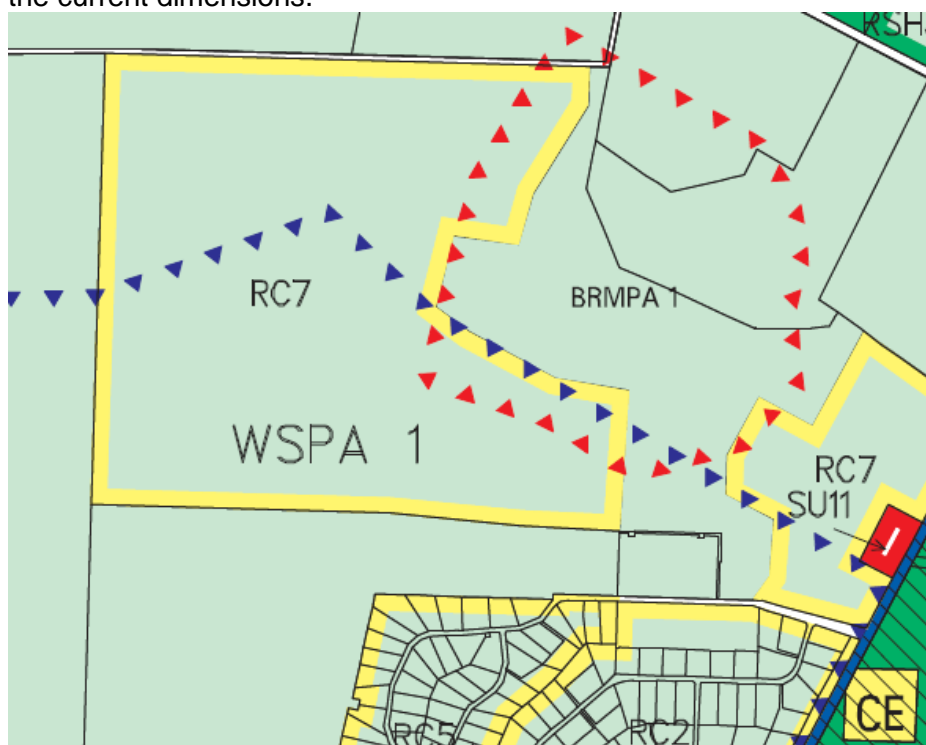


Lot 52 edged in black (Landgate 2007)

Zoning

Scheme Amendment 12 of the Shire of Ravensthorpe Town Planning Scheme No 5 (the Scheme) was gazetted in April 2009. This Amendment changed the zoning of a large parcel of land on the corner of Steeredale Road and the Hopetoun-Ravensthorpe Road from 'General Agriculture' to 'Rural Conservation Area No.7' (RCA7) and created a number of 'Special Control Areas' that reflect the sites various constraints. A zoning plan is provided below.

The Special Control Area (SCA) for Water Supply Protection extended over most of Lot 52 until recently. The Department of Water have completed hydrological studies that have redefined the ground water areas in the locality and the SCA has correspondingly shrunk to the current dimensions.



Lot 52 zoned 'Rural Conservation Area 7' with a two 'Special Control Areas' applicable:

- Water Supply Protection Area' in the south; edged triangles,
- Basic Raw Materials Protection Area in the west; edged in triangles

Subdivision Guide Plan

Council considered adopting a Subdivision Guide Plan (SGP) over what was then Lot 6382 Hopetoun-Ravensthorpe Road, Hopetoun at its meeting of 21 August 2008. This SGP consisted of:

- 47 Rural Conservation lots;
- 1 homestead lot;
- 1 extractive industry lot;
- 1 lot with the existing wind turbine; 1 lot containing the Hopetoun Waste Water Treatment Plant and a 325.5ha 'balance lot'.

Council adopted the SGP at this meeting and forwarded it to the Western Australian Planning Commission (WAPC) for endorsement. A copy of the existing SGP is provided in full at Attachment A.

The 'balance lot' of 325.5ha was removed from the SGP as this site was the subject of further hydrological studies into the extent of the ground water in this area. These studies have been completed for some time; the SCA has been modified to reflect identified ground water resource.

Comment:

Proposal

Ayton Baesjou Planning have prepared a draft Subdivision Guide Plan for Council's consideration over the 'balance land' in the western portion of RCA7. The SGP consists of the following elements:

1. 197 lots with lot sizes varying between 1 and 4 ha in area, broken down as follows:
 - 16 four hectare lots along the southern boundary of the SGP area as a buffer to the Priority 1 ground water protection area to the south;
 - 43 two hectare lots within the 'Water Supply Protection Area'
 - 138 one hectare lots in the northern half of the SGP.
2. A permeable road network connecting Leschenaultia Drive and Steeredale Road to the north;
3. Development exclusion areas protecting the existing shelter belt that runs east-west through Lot 52;
4. Building envelopes to keep house sites outside of buffers where necessary;
5. The various Special Control Areas that affect the development potential of lots on the site.

A full copy of the SGP and supporting documentation are found at Attachment B.

Scheme Requirements

The Shire of Ravensthorpe Town Planning Scheme No.5 has a number of requirements that apply to the land and influence the proposed SGP. These are investigated in the table below.

Clause	Comment	Compliance
6.2 iii) In considering any rezoning request, development or subdivision, the local government shall: <ul style="list-style-type: none"> • have regard to the comments of the Water & Rivers Commission; and • ensure that the proposed use or development will not have a detrimental impact on the water resource. 	Water & Rivers Commission are now the Department of Water. The applicant has liaised with the Department who have indicated informal qualified support for the SGP and in particular the averaging of lot sizes within the Water Supply Protection Area.	Any SGP is to be referred to the Department of Water for their comment as part of the next stage of assessment.
6.4.2 (ii) The local government will not generally approve any development for residential purposes or other sensitive land use as defined in WAPC statement 4.1	There are a number of lots within the buffer area. These have been identified for the day when the extractive industry the buffer is protecting ceases operation. Subdivision of these lots will not be possible in the short term	Support for this element of the SGP is recommended so as to show how the entire zoned area will eventually be developed in a coordinated fashion.

	The remainder the SGP area can develop independently of these lots.	
Schedule 9 Rural Conservation Zone Provisions		
1 (a) Subdivision shall generally be in accordance with the Subdivision Guide Plan signed by the Chief Executive Officer of the Shire and endorsed by the WAPC (including any modifications thereto.)	There is an existing SGP. The current proposal is to modify the existing SGP by providing the detail for the western portion of the site.	Subdivision of the site is not possible without a SGP being prepared, adopted and endorsed.
1 (b) Minimum lot size shall be 2ha except if supplied with water then it shall be 1ha.	The minimum lot size shown is 1ha. It is presumed at this time that scheme water will be provided to these lots.	Complies
6. Vegetation Conservation and Environment Various clauses requiring retention of vegetation and placement of development within building envelopes to protect remnant vegetation.	A substantial shelter belt running east-west through Lot 52 has been retained and protected by a 'development exclusion zone'. A Flora Study was produced as part of the Scheme Amendment process. This identified a number of priority species requiring protection. The applicant states that all development will be located within 2000m ² building envelopes and that the remainder of the lots will be allowed to regenerate thus improving the overall state of Lot 52.	There are large cleared area and some large pockets of remnant vegetation. These areas have been retained presumably to address potential land degradation issues. Priority species have been protected as they are located outside of building envelopes. The existing remnant vegetation has 1 hectare lots proposed through it. It is recommended that this issue be referred to the DEC for comment during the public advertising of the proposal.
7. Bush Fire Management Various requirements for bushfire management issues to dealt with.	There is an existing Fire Management Plan for the site adopted with the Scheme Amendment documentation. Strategic fire breaks and a lop road system are proposed. A 50KL water storage tank is proposed as part any future subdivision.	Complies

The proposed SGP appears to address the requirements of the Scheme. The issue of locating lots within the existing remnant vegetation areas can be addressed through the advertising process.

Opportunity & Constraints

Lot 52 is located near an existing extractive industry, within reasonable proximity to the wind turbines and is affected by a water supply protection area. The site has areas of remnant vegetation, including an area with an identified protected species. The SGP needs to

respond to the various site constraints to the satisfaction of the Council and a variety of government agencies including the WAPC. These issues are explored in the table below.

Opportunity/Constraints	Response
<p>Public Drinking Water Supply Area is located through the southern portion of Lot 52 and is protected by a Special Control Area in the Scheme.</p> <p>The Department of Water (DoW) has controls on land use within water protection areas, including a restriction on lots sizes that is also reflected in the scheme provisions.</p>	<p>The DoW has informally agreed that an average of 2ha lot size is an acceptable response to the water protection area.</p> <p>There are a number of 4ha lots along the southern boundary of Lot 52 that provide a reasonable setback to the 'priority one' water protection area south of Lot 52.</p>
<p>Gravel and limestone area extracted from the neighbouring lot to the east. This activity requires a buffer to 'sensitive land use' such as residences.</p> <p>This is shown on the SGP and in Scheme.</p>	<p>The lots within the buffer area may only be subdivided once the extractive industry next door ceases or reduces in scale. This is controlled by clause 6.4 of the Scheme.</p> <p>These lots are shown on the SGP to show how the entire site will be developed in a coordinated manner. The remainder of the SGP area can be subdivided independently of these lots.</p>
<p>Wellhead Protection zones of 300m are required around the two production bores located to the south east of Lot 52.</p>	<p>Building envelopes are located outside of these buffer areas.</p>
<p>There are patches of existing remnant vegetation on the site and one stand of an identified protected species.</p>	<p>Protection of the east-west shelter belt with a development exclusion zone and the Scheme requirement for all development to be located within 2000m² building envelopes should protect large areas of remnant vegetation and allow cleared to areas to continue to regenerate.</p> <p>The DEC had concerns previously and may have comments to make on the proposed 1ha lots in the existing stands of vegetation. This can be assessed further during public advertising.</p>
<p>Aboriginal Heritage.</p> <p>There is an existing site notated on the existing SGP. There is some question of whether this site is actually in the marked location.</p>	<p>The spot marked on the existing SGP continues to be located in private property but is located outside a building envelope.</p> <p>The SGP will be referred to the Department for Indigenous Affairs as part of the advertising.</p>

Conclusion

The proposed SGP responds to the Scheme requirements and the site's opportunities and constraints.

There are a number of issues such as the way in which the plan responds to the existing remnant vegetation and the buffer to the existing extractive industry that can be addressed during the advertising period for the SGP.

Support is recommended for the purposes of placing on public advertising and referring to the relevant government agencies.

Consultation:

Although it is not a statutory requirement, it is recommended that the proposed SGP is to be placed on public advertising and referred to relevant government agencies for comment for a period of 21 days.

Statutory Obligations:

The Scheme requires that subdivision or development in Rural Conservation Area 7 is to be in accordance with an adopted Subdivision Guide Plan. This is required to be endorsed by the WAPC.

Policy Implications:

None applicable

Budget / Financial Implications:

There are direct financial implications resulting from the recommendations of this report.

Strategic Implications:

Nil

Sustainability Implications:

- **Environmental:**
Issues with remnant vegetation and setbacks to industrial and water supply buffers are discussed in the body of this report.
- **Economic:**
There are no known significant economic considerations.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Simple Majority

COUNCIL DECISION AND OFFICER RECOMENDATION	ITEM 10.2.1
Moved: Cr Dunlop	Seconded: Cr Field
That Council,	
<ol style="list-style-type: none"> 1. Adopt the draft Subdivision Guide Plan for Lot 52 Leschenaultia Drive, Hopetoun as shown at Attachment B of this report for the purposes of advertising; 2. Advertising is to include letters to adjoining landowners, relevant government agencies and an advertisement in the local newspaper. 3. The Subdivision Guide Plan is to be advertised for public comment for a period of 21 days. 	
Carried: 6/1	Res: 242 /11

10.3 Manager of Engineering Services

10.3.1 CLOSURE OF FLOATER ROAD

File Ref:

Applicant:	Galaxy Resources Ltd
Location:	Floater Road, Ravensthorpe
Disclosure of Officer Interest:	None
Date:	Nov 2011
Author:	Leslie Hewer – Engineering Consultant
Authorising Officer:	Pascoe Durtanovich – Chief Executive Officer
Attachments:	1. Plan of Proposal 2. List of Submissions Received.

Prior to any consideration of Item 10.3.1 :

Cr Goldfinch declared a financial interest on the basis that he owns shares in Galaxy.

Cr Townsend declared a financial interest on the basis that she is an employee of Galaxy.

Cr Norman declared a financial interest on the basis that he uses the road to access town and South Coast Highway.

Moved: Cr Duncan

Seconded: Cr Lansdown

That the interest declared by Cr Norman be declared trivial and given that it is unlikely to influence Cr Norman's conduct in relation to this matter, Cr Norman be permitted to participate in discussions and vote on the matter.

Carried: 6/0

Res: 243 /11

5.45pm Cr Goldfinch and Cr Townsend left the meeting and did not participate in discussions.

Deputy President Cr Dunlop took the Chair.

Summary:

Galaxy Resources has requested closure of portion of Floater Road to enable expansion of the company's mining operation.

Council considered the request on the 18th August 2011 Council meeting and resolved as follows:

“That subject to Galaxy Resources Ltd confirming that they will reconstruct the section of the Old Newdegate Road to the same standard as the mine access road, including sealing and will reimburse the cost of the road closure and road dedication process, the proposal to close the section of Floater Road and portion of Old Newdegate Road, in accordance with the attached plan be advertised for public comment, in accordance with Section 58 of the Land Administration Act.”

Submissions for the Floater Road closure proposal closed on the 12th October 2011.

This report summarises the submissions and makes comments of the issues raised.

Background:

Galaxy Resources has advised that the Mt Catlin pegmatite deposit they are currently mining extends across a section of Floater Road. By early 2013 it will be necessary to mine the portion of the ore body underneath Floater Road and Catlin Creek as they progress eastwards.

During the mining of the eastern section of the deposit they propose to construct a by-pass road which will join with Old Newdegate Road and allow access to the northern portion of Floater Road. It will be necessary to divert traffic from Floater road onto Old Newdegate Road, then onto the mine site access road before turning onto the Lake King Road and South Coast Highway.

Galaxy would like this section of Floater Road to be closed from early 2013.

As can be seen on the attached plan, the proposal is to close 1.5km of Floater Road, leaving 1.4km from South Coast Highway open. Closure of a small section of the Old Newdegate Road is also involved.

Consultation:

The proposal was advertised for public comment on the 6 September 2011, with a closing date of the 12th October 2011.

A total of 28 submissions were received during that time.

In addition to the advertising, Galaxy Resources held two site meetings on the 28th and 29th August 2011 for the residents that would be directly affected by the closure. Of the 17 invitations that were sent out, approximately 50% made an appearance at the presentations.

Public Comments

By the close of business on the 12th October 2011 Council received 28 submissions from the general public and organisations giving comments on either for or against the proposal.

Tabled below are the comments in the order as received by Council.

	Supporting Comments	Opposing Comments	Officers Comments
1	<ul style="list-style-type: none"> Good for the town's employment opportunities and economy 		Noted
2		<ul style="list-style-type: none"> Requesting permanent closure to be temporary closure as it will add extra distance to people coming into town. 	This closure is permanent until the mine closes. The road will be reconstructed to gravel formation at that time.
3	<ul style="list-style-type: none"> Good for the town's employment opportunities and economy 		Noted

4	<ul style="list-style-type: none"> • Good for the town's employment opportunities and economy 		Noted
5	<ul style="list-style-type: none"> • Supports growth in the area for businesses and community. 		Noted
6	<ul style="list-style-type: none"> • Safe and logical solution to the proposed closure. 		Noted
7	<ul style="list-style-type: none"> • Increase of 10-12 years of mine life will provide ongoing employment and support for businesses. 		Noted
8	<ul style="list-style-type: none"> • They relocated to Ravensthorpe to support local family. Husband now works at the mine. 		Noted
9		<ul style="list-style-type: none"> • Concern over the diversion of the Creek • Access for touring of wildflower sites. • Access to Hawks Nest 	The environmental impact is addressed by other agencies. There will still be access for tourists.
10		Comment on opportunity to provide better heavy road haulage to the east. Insist that Galaxy rehabilitate after mining operations cease	These comments seem to support the option in principle. The other options suggested are not part of the galaxy proposal as submitted.
11	<ul style="list-style-type: none"> • Good for the town's employment opportunities and economy 		Noted
12		<ul style="list-style-type: none"> • Lives on Old Newdegate Road and will be directly affected by the extra distance. • Concern for possible reduction of property values. 	Noted (see comments in officers report.)

13		<ul style="list-style-type: none"> • Closure of road should be conditional only on confirmation from all relevant Agencies of approval to expand the mine's operational area. 	<p>The licence approvals are not part of this item. Noted</p>
14		<ul style="list-style-type: none"> • Lives on Floater Road and will be directly affected by the extra distance. • Not enough consultation. • Concerns over the mining expansion and any possible future issues that may arise once the mine is closed. 	<p>Noted (see comments in officers report.)</p>
15	<ul style="list-style-type: none"> • Good for the town's employment opportunities and economy 		<p>Noted</p>
16		<ul style="list-style-type: none"> • Extra cost for farmers to deliver harvest. • Concerns of environmental impact on waterways. • Tourist's access to wildflowers at Archer drive lookout. 	<p>Noted (see comments in officers report.)</p>
17		<ul style="list-style-type: none"> • Lives on Floater Rd and will be directly affected by the extra distance. 	<p>Noted (see comments in officers report.)</p>
18	<ul style="list-style-type: none"> • Upgrade and sealing of Old Newdegate Road will provide safer route. • Request that Floaters road be reinstated once mining has completed. 		<p>Noted</p>
19		<ul style="list-style-type: none"> • Lives on Floater Road 	<p>Noted (see comments in</p>

		and will be directly affected by the extra distance.	officers report.)
20		<ul style="list-style-type: none"> • Floater Road has scenic value. • Concern for farmers affected by the additional distance • Other environmental concerns of the mining expanding east. 	Only 1.5 kms of road is affected by the mining operations. Environmental impact is assessed separately by other agencies.
21		<ul style="list-style-type: none"> • Lives on Floater road and will be directly affected by the extra distance. • Impact tourism. • Environmental impact of expanding the mine east. 	Noted (see comments in officers report.) There will be access for tourists. The environmental impact is addressed by other agencies.
22	<ul style="list-style-type: none"> • No objection to closure however wants to confirm this is temporary and Floater Rd will be reinstated 		Noted
23	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Closure of road should be conditional only on confirmation from all relevant Agencies of approval to expand the mine's operational area. • Closure should not disadvantage road users 	The licence approvals are not part of this item. Noted
24	<ul style="list-style-type: none"> • Generally support the proposal however have some suggestions <ul style="list-style-type: none"> ○ Seal road to the Enduro Club entrance. ○ Increase signage for Archers 		Noted and suggestions to be considered in proposal

	Lookout		
25		<ul style="list-style-type: none"> • Environmental issues of the mining itself. • Social issues for access to tourist and historic sites • Economic issues such additional travel costs. 	Noted (see comments in officers report.)
26	<ul style="list-style-type: none"> • Good for the town's employment opportunities and economy 		Noted
27		<ul style="list-style-type: none"> • Lives on Floater Road and will be directly affected by the extra distance. • Concern over lack of consultation. 	Noted (see comments in officers report.)
28		<ul style="list-style-type: none"> • Lives on Floater Road and will be directly affected by the extra distance. • Concern over lack of consultation. • Preference to construct road on the eastern side on mine site 	Noted (see comments in officers report.)

The summary of these submissions is as follows;

Thirteen of the submissions were supporting the closure. Of these

- 8 were submitted from individuals or business owners that were stating the mine expansion and therefore the road closure is good for the growth of the town and ongoing employment,
- 4 were from organisations that represented groups of businesses, and
- 1 submission was from a haulage contractor that suggested that the closure would be safe and logical solution to the problem.

Note: Two submissions received were from employees of Galaxy Resources.

Fourteen submissions were received that were opposed to the closure. Of these

- 6 submissions were directly from residents on Floater Road that would be disadvantaged directly by the closure and would surely have increased operational costs as result of it,

- 1 submission was from a resident on Old Newdegate Road with concerns that the closure will incur additional running costs and could have an effect on future sale of property,
- 3 were from individuals that were concerned about the impact the closure could have on the tourist and wildflower trade. In addition to that there was also concern about the environmental impact of the mining itself and the expansion,
- 1 submission was concerned from an individual concerned for customers that use the road and requested the closure to be temporary,
- 2 submissions were from a Catchment/Agriculture groups whose concerns were for the mine expansion as well as the road closure, and
- 1 submission was from a resident in the area suggesting this to be an opportunity to align this proposal with the possible introduction of a heavy haulage route,

From the above summary of comments received, the main concerns expressed are as follows;

- ❖ Concern for tourist to access lookout and sightseeing during wildflower season.
- ❖ Road users on the north side of the mine will be disadvantaged by the additional travel distance to the town site and possible impact on future land values.
- ❖ Some of the submissions voiced concern over the way that Galaxy presented the information relating to the closure.

Note: Approvals for the expansion of the mine and environmental concerns such as Catlin Creek were mentioned in several submissions however this is considered to be a separate issue that are to be dealt with by other authorities.

In addition to the above submissions Council received a “no objection” response from;

- Main Roads Western Australia, Great Southern Region
- Western Power, and
- Department of Planning – regional Planning and Strategy.

Comments

When addressing the concerns of the submissions Council officers investigated three options for possible alternative routes to detour public traffic during the mine operations:

Option 1 Construct a road around the perimeter of the mine lease on the eastern boundary

This option was not investigated in great detail as it would not be possible to meet standards suitable to comply with other authority’s conditions. A number of the matters that were looked at were;

- Some of the terrain is steep and would require significant earthworks.
- The grades would not suit road trains and depending on the location of the tie-in this could pose other significant issues for trucks entering Morgans Road (main highway) and heading west.
- There would be other significant environmental issues associated with the clearing.
- Dedicating a new road reserve would be difficult because of heritage and cultural conditions.

Though this option is possible to construct the risk to traffic safety is higher and the approval process will be more involved, in particular Native Title issues

Option 2 Construct a detour west of Floater Road going through the mine site.

This option was given a great deal of consideration by the staff as well as Galaxy. It was however determined not suitable because of the following;

- Mine vehicles will need to cross over Floater Rd from the eastern pit and will need right-of-way. It is estimated that there will be some 400 truck/vehicle movements a day at approximately a rate 1 every 90 seconds crossing the road. This is a safety issue and is considered a high risk.
- Over the life of the mine there would have to be several changes made to the alignment to facilitate the operations. Though not significant they do pose more safety concerns.
- There is a safety issue for public vehicles travelling through a working mine site and determining responsibility/accountability if an incident occurs. This is not considered an ideal route for out-of-town tourist or road trains to use
- Regular traffic interruption due to mine blasting.

As per Option 2 this route also has significant public safety and ongoing traffic management issues.

Option 3 Upgrade Old Newdegate Road and link to mine access road

This is the preferred option as there is no significant safety or environmental issues with this option. There are no significant issues with gaining approvals from relevant departments.

At the completion of the mine operations Council still has an alternative “sealed” access for road trains and for tourists coming to town from the north and west.

The most notable negative to this option however is there are a number of road users that will be disadvantaged by the rerouting of Floater Road access to town via Old Newdegate Rd. The additional distance to travel to the intersection of Floater Rd and Morgans Road is approximately 5 kilometres. Vehicles travelling to and from town will travel an extra 10 kms per round trip.

Conclusion

The submissions received gave a rational impression of the community’s response to the closure of Floater Road.

The ones supporting the proposal are those that will gain by the extended life of the mine and the ongoing growth for the town. This is seen as benefiting the majority of the community.

Those opposed are either concerned about the effect on tourist trade, or the additional costs to road users that will have to travel the extra distance to and from town. Some had expressed displeasure in the way the proposal has been administered. Following are the officer’s observations on the reasons for the objections.

Firstly, the effect on the tourist trade can be seen as low risk as the access to the lookout and sightseeing is still maintained, though it is recognise it will be a longer journey. It would be prudent to state that any tourist travelling the distance to Ravensthorpe will not mind travelling an extra 5 kilometres to look at our attractions. In addition to this Galaxy will be required to provide additional signs to help better showcase these tourist spots. One

comment received did question if tourists would return to town after visiting these spots. This is subjective though it could be concluded that taking into consideration the distance to the next town, that tourist would have either stored up on provisions before going out or would travel the few kilometres to return to town.

The second concern was the residents north of the mine site being mainly the regular road users who would be disaffected by the additional distance to travel to town. This will incur additional running costs for using this road as a means of regular conveyance. A recent traffic count carried out on April this year confirmed that over a two week period the traffic volume was between 21 – 38 vehicles per day for weekdays and 10-28 for the weekends.

Note: When determining the advantages and disadvantages of the proposed closure it was concluded that the road train costs should not change for the farmers as the grain receival point on the western side of town is only 1 km extra in distance however time savings due to improved road conditions would negate these costs.

The discontentment over the administration of Galaxy's presentation has been noted. It appears that there could have been more follow up on discussions. In regards to this process however this is considered as being outside the required obligation of Council to inform the public of the proposal.

The apprehension over property values is subjective and would be difficult to quantify not knowing what factors that would affect a sale. Though the distance to town is increased, the road user would have a sealed road to travel on. One could counter the other!

It would be reasonable to deduce that the most significant concern is the additional distance road users will travel to town. Though this is recognised as an inconvenience and a cost burden for those affected, the balance of total economic benefits for the rest of the community would weigh in favour of the proposal for the road closure.

Recommendation

Taking into consideration all the submissions received that it is recommended the proposal by Galaxy Resources to close Floater Road and construct a diversion along Old Newdegate Road and on the mine access road be accepted.

The following conditions are to be included in the agreement;

- a) Reconstruction of the section of Old Newdegate Road to be the same standard as the mine access road,
- b) The section of road access through the mine site to be dedicated as a public road reserve,
- c) Main Roads approval for access onto Newdegate/Ravensthorpe Road.
- d) Detailed engineering road design plans to be prepared by the proponent and approved by Council,
- e) Appropriate bollards/signage of both ends of the closed section of Floater Road along with additional tourist information signs as directed by Council.
- f) Galaxy to reinstate the closed section of Floater Road, to a similar standard as existing, upon closing of the mine operations.

Statutory Obligations:

The process for dedication of roads is in accordance with Section 56 of the Land Administration Act. The road closure is in accordance with Section 58.

The Minister for Lands will make the final decision on the road closure. Before a request is submitted to the Minister the road closure proposal must be advertised for public comment for a period of 35 days.

Policy Implications:

Nil

Budget / Financial Implications:

Council does not have a Road Closure fee in its Fees and Charges Schedule. Facilitating the closure will involve considerable cost in advertising and officer time. Council would need to seek the reimbursement of these costs from Galaxy Resources.

As a safety net in case of any future unforeseen problems it would be recommended to request Galaxy to submit a bank guarantee, with an inflated value estimated to the end of the life of the mine, for the reinstalment of Floater Road to the original alignment.

Strategic Implications:

Nil

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations for the road closure. Galaxy still needs to comply with other authority's guidelines and conditions for expanding the mine.
- **Economic:**
Closure of this section of Floater Road will extend the life of the mine and in turn offer future ongoing local employment opportunities and business growth.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Simple Majority

COUNCIL DECISION AND OFFICER RECOMENDATION	ITEM 10.3.1
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Moved: Cr Duncan

Seconded: Norman

That Council in accordance with Section 56 & 58 of the Land Administration Act support the Closure of Floater Road between SLK. 1.4 and SLK 2.90 and the dedication of the parcel of land on Lot 31 as shown on the attached plan as road reserve.

Subject to Galaxy Resources Ltd confirming that they will agree to perform all works according to the following conditions;

- a) Upgrade of the section of Old Newdegate Road to be the same standard as the mine access road,
- b) The section of road access through the mine site to be dedicated as a public road reserve,
- c) Main Roads approval for access onto Newdegate/Ravensthorpe Road.
- d) Detailed engineering road design plans to be prepared by the proponent and approved by Council,
- e) Appropriate bollards/signage of both ends of the closed section of Floater Road along with additional tourist information signs as directed by Council.
- f) Galaxy to reinstate the closed section of Floater Road, to a similar standard as existing, upon closing of the mine operations.
- g) Galaxy to submit a bank guarantee, with an inflated value estimated to the end of the life of the mine, for the reinstatement of Floater Road to the original alignment.
- h) Galaxy Resources to pay Council all costs incurred associated with the administration expenses of the closure.

AMENDMENT

Moved: Cr Duncan

Seconded: Cr Norman

That i) and j) be added to the motion as follows:

- i) Reinstatement of Floater Road within three years of the mine being put in care and maintenance, should this occur.
- j) All mining and environmental approvals be obtained.

Carried: 5/0

Res: 244 /11

FURTHER AMENDMENT

Moved: Cr Norman

Seconded: Cr Duncan

That "east of Floater Road" be added to point f)

Carried: 5/0

Res: 245 /11

The amendments became part of the motion.

The motion was put and carried 4/1.

Res: 246/11

Cr Lansdown requested the votes of all members be recorded.

For	
Cr Duncan	Cr Field
Cr Norman	Cr Dunlop

Against
Cr Lansdown

5.52pm – Cr Goldfinch and Cr Townsend returned to the meeting.
Cr Goldfinch resumed the chair.

10.3.2 FLEET MAINTENANCE AND REPAIR FUNCTIONS

File Ref:**Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** Nov 2011**Author:** Leslie Hewer – Engineering Consultant**Authorising Officer:** Pascoe Durtanovich – Chief Executive Officer**Attachments:** None

Summary:

Council currently outsource all their fleet maintenance and repairs functions to a local service agent. Though this practice seems beneficial there are concerns that with no everyday checking of plant and the operators that minor problems could manifest into major repairs.

The purpose of this report is to analyse the feasibility of managing this operation in-house with council employed staff and resources.

The analysis demonstrates that in the current working climate the existing practice is both viable and beneficial to the Council. Even when taking into consideration costs associated with lack of ability on behalf of some operators to maintain a reasonable degree of attention with looking after the fleet the risk is still acceptable.

Background:

Traditionally in the past the Council has outsourced the maintenance of the heavy plant, trucks and vehicles to an independent contractor operating in the industrial area. From discussions this procedure was brought about due to the unavailability of suitable mechanics. This to date has been reasonably effective in keeping the fleet operational however does not provide for any preventative maintenance or regular service necessary to maintain the equipment to a high standard thus retaining asset value and reducing/eliminating emergency repairs and loss time.

It has been suggested that though the current maintenance of the fleet is satisfactory there have been some instances where the fleet has been either damaged or broken down due possibly to lack of knowledge/skill by the operator. This is not so much a reflection on the works team nevertheless without regular, in some cases daily, checks by a qualified mechanic then there is a chance that a small problem could turn into a major repair if left unchecked.

Comment:

The Council fleet comprises of heavy plant, trucks, vehicles and small equipment. Detailed below is a list of the major fleet items that have need of either servicing or repairs during the Council's daily operations;

Heavy plant including;

- 4 x Graders
- 2 x Loaders
- 1 x Backhoe
- 2 x Bulldozers

Trucks

- 2 x Prime mover plus 2 x Side tipper trailers
- 3 x Tipper truck
- 2 x Waste compactors
- 4 x light trucks (tray top and service)

Vehicles

- 5 x Toyota Hilux utility
- 4 x Ford Ranger utility
- 2 x Mazda Bravo utility

Other plant

- 2 x Rollers (smooth drum and multi-tyre)
- 3 x Tractors
- 6 x Trailers (low loader, waste management unit, multi use trailer, etc)
- Various small equipment (ride-on mowers, etc)

Most of the fleet is in good condition and the Council's replacement policy ensures that they are traded before any major repairs e.g. engine overhaul, body rebuilds, etc are necessary.

Most of the fleet's servicing and repairs is outsourced to both local and/or regional organisations. Some of these specialists are not included in this report as their service is essential to perform the required service/repair on that particular item of plant or vehicle.

Most of the companies that Council use are locally owned and operated and offer services such as mechanical repair and service, auto-electrical servicing and tyre repairs as well as supplying spare parts. The annual costs for these services are what was analysed in this report as it was considered that these services could be managed by a small mechanical team at the depot workshop.

Cost Comparisons

Utilising Outsourced Services.

To gain some idea of the costs associated with the maintenance of the fleet the last two years Council financials records were examined to develop some indicative costs to use as a benchmark for comparison.

These costs are tabled as follows;

Year	Total	Mechanical Servicing & Repairs	Electrical Repairs	Tyre service	Specialist Servicing & Repairs	Parts for Regular Maintenance	Minor Parts and Repairs
2010/11	\$182,895	\$84,698	\$7,615	\$8,670	\$56,051	\$11,879	\$22,692
2009/10	\$144,303	\$67,458	\$14,692	\$3,929	\$11,864	\$14,267	\$32,093

Taking into consideration the last two years costs for services the average annual cost of maintenance and repairs is in the vicinity of around \$90,000/annum. It is estimated that about 25% of this figure includes parts; therefore the estimated labour cost would be approximately **\$70,000**.

Using In-house Staff

To be able to fully provide the fleet with regular preventative maintenance servicing and facilitate repairs then the following personnel would be required;

Qualified mechanic	\$ 90,000 (Total employment package - contract)
Trade assistant	\$ 55,000 (Total employment package - local)
Total labour costs	\$145,000

In addition to the above the workshop would need to be upgraded and furnished with the necessary equipment to facilitate the works. The following is a brief list of the major equipment, tools, etc required.

Portable vehicle hoist	\$55,000
Support frames & wheel adaptors	\$ 2,600
Air compressor and fittings	\$ 3,000
10t Hydraulic jack	\$ 1,500
Welder and accessories	\$ 2,500
Drill press	\$ 500
Various mechanical tools	\$ 3,000
Various electrical tools	\$ 3,000
Workshop stores and accessories	<u>\$ 10,000</u>
Total	\$ 80,000

If this were to amortised over a 10 year period then the annual cost of workshop tools would be approximately \$8,000/annum

Vehicle	<u>\$ 12,000</u>
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Recommendation

On the whole it would seem that the current practice of outsourcing the maintenance is the most effective and efficient procedure for the Council at this point in time. The difference in labour costs alone is over 50%, plus workshop and vehicle costs.

Brief discussions with the work's staff imply that the vehicles do receive regular services throughout the year. In addition to this the local service agent is prepared to drop everything and mobilise immediately to attend emergency callout repairs. Some major repairs that have been carried out on the plant have been undertaken by specialist companies. This would still be the case even if a full-time mechanic were employed.

As suggested earlier, without an independent person carrying out regular checks on the fleet, and the employees using, them then there is an element of risk that a minor problem could turn into a major repair. In the last two years there have been a couple instances where a major repair could be contributed to neglect, or the ineptness of the operator. On one noted occasion the resulting repair cost was significant. Note, this cannot be verified to be fact, though if this were the case, it would still not warrant the need to change the existing practice.

It would be prudent however to note that this agreement at the moment relies on a small business operated by the owner. If anything were to change with this arrangement such as retirement or selling of the business, then this practice would need reviewing taking into consideration the risks of having a new service agent who may not be suitable or able to perform to Council's standards.

A significant risk with developing an in-house operation is attracting and retaining good staff. This could be a problem with qualified mechanics as Council would have to compete with the local mining companies that offer better employment packages. A review should be undertaken to look at the feasibility of attracting a suitable person to the job before any commitment to make any changes to the existing practice.

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

Nil

Strategic Implications:

Nil

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations.
- **Economic:**
There are no known significant economic considerations.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Simple Majority

COUNCIL DECISION AND OFFICER RECOMENDATION	ITEM 10.3.2
Moved: Cr Dunlop	Seconded: Cr Norman
That Council note the report and continue outsourcing the maintenance and repairs of the plant and equipment.	
Carried: 7/0	Res: 247 /11

10.4 Chief Executive Officer

10.4.1 ANNUAL GENERAL MEETING OF ELECTORS – 24 OCTOBER 2011

File Ref:	3.3.1.2
Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	11 November 2011
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Yes – Copy of the meeting minutes

Summary:

The purpose of this report is to consider the Minutes of the Annual General Meeting of Electors held on 24 October 2011.

Background:

The Annual General Meeting was held in accordance with the Local Government Act 1995 to receive the Annual Report for 2010/2011 and to give electors the opportunity to raise issues pertinent to the Local Government and Shire.

Comment:

Council is required to consider resolutions arising from the meeting and indicate how those matters will be addressed.

Whilst there were a number of matters raised there were no motions passed and therefore no action is required by Council.

Maintenance items raised will be attended to by staff, where appropriate.

Consultation:

Not applicable.

Statutory Obligations:

Sections 5.27 of the Local Government Act 1995, a General Meeting of the Electors of a district is to be held once every financial year.

Further, pursuant to Section 5.32 of the Act, copies of the minutes are to be made available for inspection by members of the public before the Council meeting at which decisions made at the electors meeting are first considered.

Further, pursuant to Section 5.33 of the Act all decisions made at an electors meeting are to be considered at the next ordinary meeting of the Council where practicable.

Policy Implications:

Nil

Budget / Financial Implications:

Nil

Strategic Implications:

Nil

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations.
- **Economic:**
There are no known significant economic considerations.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Simple majority.

COUNCIL DECISION AND OFFICER RECOMENDATION	ITEM 10.4.1
Moved: Cr Field	Seconded: Cr Norman
That the minutes of the Annual General Meeting of Electors held on 24 October 2011, be received.	
Carried: 7/0	Res: 248 /11

10.4.2 PHILIPS RIVER HOLDINGS (TECTONIC) - ORE HAULAGE ROUTE - HOPETOUN - RAVENSTHORPE ROAD
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File Ref:	14.7.5
Applicant:	Not applicable
Location:	Kundip and Trilogy
Disclosure of Officer Interest:	None
Date:	14 November 2011
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	None

Prior to any consideration of Item 10.4.2 :

Cr Goldfinch declared a financial interest on the basis that he owns shares in Philips River Holdings.

5.57pm Cr Goldfinch left the meeting and did not participate in discussions.

Deputy President Cr Dunlop took the Chair.

Summary:

Council is requested to withdraw support for an ore haulage route within the Hopetoun Ravensthorpe Road reserve.

Background:

On 21 October 2010, following a request from then Tectonic Resources, Council resolved as follows:

That Council, in respect of the correspondence received from Tectonic Resources date 5 October, 2010, advise that Council support the proposed alignment of the ore haulage route between Kundip and Trilogy as outlined in option 2 (Res 538/10)

The Hopetoun Ravensthorpe Road is classified as a “local road” and is under the care and control of the Shire of Ravensthorpe, however as far back as 2001 Main Roads WA has maintained and upgraded the road and has continually supported the road becoming a “state road”.

Subsequent to Council's decision on 21 October 2010, Main Roads WA has advised that it will not support the subject road becoming a state road if there is an ore haulage route within the road reserve, citing safety concerns as the main reason.

Main Roads has also advised that it will no longer fund works on the road.

Comment:

Given the length and condition of the Hopetoun Ravensthorpe Road, the cost of upgrading and preservation works are beyond the Shire's financial resources therefore Council should continue to push for state ownership of the road. To this end the resolution supporting an ore haulage route should be rescinded.

The Philips River Holdings CEO has indicated that use of the existing road pavement, rather than a haulage route, is their preferred option, provided agreement can be reached on road upgrading contributions for the section of road to be used by the Mining Company.

Consultation:

This matter has been discussed with Main Roads WA at a Regional and State level. Councillors have also met with the Regional Manager Main Roads WA and the mining company CEO.

Statutory Obligations:

Legal advice received indicates the resolution can be rescinded.

Policy Implications:

Nil

Budget / Financial Implications:

If Council retained responsibility for the road it is conservatively estimated that \$300,000 per annum of Council funds would be required to upgrade and maintain the road over the next five years. This is beyond the Shire's resources.

Strategic Implications:

Not applicable.

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations.
- **Economic:**
The Hopetoun Ravensthorpe Road is a connecting road between two significant towns. It is also the main access road to the Fitzgerald River National Park.
- **Social:**
The road is a school bus route and is access for the Ravensthorpe community and visitors to Hopetoun for recreation, medical and holiday activities.

Voting Requirements:

Absolute Majority

Note: Three Councillors are required to indicate support for a rescission motion before the motion can be moved.

Crs Townsend, Norman and Duncan indicated support for a rescission motion.

COUNCIL DECISION AND OFFICER RECOMENDATION	ITEM 10.4.2
Moved: Cr Duncan	Seconded: Cr Townsend
That resolution 538/10 of the meeting held on 21 October 2010 be rescinded.	
Carried by Absolute Majority: 6/0	Res: 249 /11

6.00pm – Cr Goldfinch returned to the meeting and resumed the Chair.

10.4.3 PURCHASE OF HOPETOUN CHILDCARE BUILDING

File Ref:

Applicant:	Not applicable
Location:	Reserve 35584 Buckie Street, Hopetoun
Disclosure of Officer Interest:	None
Date:	14 November 2011
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	None

Summary:

An Opportunity exists for the Shire of Ravensthorpe to purchase the Hopetoun Childcare building from YMCA This report recommends that Council proceed with the purchase.

Background:

Ownership of the Hopetoun Childcare building was in dispute following the departure of BHP Billiton. After a number of legal opinions and meetings with YMCA personnel it was agreed that the building remain the property of YMCA and YMCA would lease the building to the Hopetoun Childcare Committee at a lease fee of \$1000 per month. The building is located on a Shire vested reserve.

Comment:

Following further discussions with YMCA agreement has been reached for the Shire to purchase the building at a cost of \$170,000. A further \$10,000 is required for external maintenance work on the site.

With ownership of the building Council can enter into a lease direct with the Hopetoun Childcare Committee. There is also the opportunity for the committee to sublease portions of the building thereby generating income that can be set aside for long term maintenance of the building.

Consultation:

The CEO has consulted with the President of the Hopetoun Childcare Centre. Further consultation will be undertaken following this Council meeting, specifically in relation to the structure and functioning of the Committee and the lease conditions.

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

The sale of the two BHP donated Wavecrest units yielded \$180,000. These funds are in the Shire's Building Reserve Account and can be used for the purchase of the subject building.

Strategic Implications:

The Shire of Ravensthorpe Strategic Plan/Plan for the Future Action Plan No 6.5 Action 129 page 96.

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations.
- **Economic:**
There are no known significant economic considerations.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Although funds are available in the Building Reserve Fund the purchase of the Childcare building was not budgeted therefore an absolute majority is required.

OFFICER RECOMENDATION	ITEM 10.4.3
<p>(1) That the Childcare building situated on Reserve 35584 Buckie Street, Hopetoun be purchased from the Young Men's Christian Association at the purchase price of \$170,000</p> <p>(2) That \$180,000 be transferred from the Shire of Ravensthorpe Building Reserve for the purchase of the building and external maintenance.</p> <p>(3) That the building be leased to the Hopetoun Childcare Committee Inc. under the following conditions-</p> <ul style="list-style-type: none">-the Shires standard lease document-funds derived from subleasing of portion of the building be set aside in Shire reserve fund for long term maintenance of the building.	

COUNCIL DECISION	ITEM 10.4.3
Moved: Cr Lansdown	Seconded: Cr Duncan
<p>(1) That the Childcare building situated on Reserve 35584 Buckie Street, Hopetoun be purchased from the Young Men's Christian Association at the purchase price of \$170,000</p> <p>(2) That \$180,000 be transferred from the Shire of Ravensthorpe Building Reserve for the purchase of the building and external maintenance.</p> <p>(3) That a committee of council be appointed to oversee the leasing and management of the centre.</p>	
Carried by Absolute Majority: 7/0	Res: 250 /11

10.4.4	CONVERSION TO GROSS RENTAL VALUE – FQM RAVENSTHORPE NICKEL AND GALAXY LITHIUM PROJECT
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File Ref:	FQM001
Applicant:	Shire of Ravensthorpe
Location:	Lot 31 Newdegate Ravensthorpe Road Lot 1269 South Coast Highway
Disclosure of Officer Interest:	None
Date:	15 November 2011
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Yes – Property Technical descriptions and valuations

Prior to any consideration of Item 10.4.4 :

Cr Goldfinch declared a financial interest on the basis that he owns shares in Galaxy.

Cr Townsend declared a financial interest on the basis that she is an employee of Galaxy.

6.05pm Cr Goldfinch and Cr Townsend left the meeting and did not participate in discussions.

Deputy President Cr Dunlop took the Chair.

Summary:

Council is requested to consider a change to the valuation basis for the rating of the two mining companies currently operating within the Shire.

This report recommends that Council resolve to request the Minister for Local Government to approve a change from Unimproved Valuation to Gross Rental Valuation for the administration and accommodation developments on the mine sites.

Background:

Both Ravensthorpe Nickel and Galaxy Lithium Mining Operations are situated within extensive parcels of agricultural land owned by the companies.

In the case of Galaxy Lithium there is a substantial administration block but no accommodation facilities. Ravensthorpe Nickel has both an administration complex and workers accommodation.

Currently the properties are rated under an unimproved valuation basis, that is, only the land is taken into consideration, all improvements are disregarded.

The proposal is to convert the administration blocks and workers accommodation to Gross Rental Valuation. The remaining property will continue to be rated under unimproved valuation.

In both instances the processing plant will remain unimproved value rating.

It is unlikely that the Ministers would approve a change to GRV for this aspect of the operation, particularly given that a recent review of GRV rating, participated in by the government, specifically excluded processing plants from GRV rating.

Comment:

The affected locations are:-

Galaxy

Location 31

FQM Ravensthorpe Nickel

Location 1269

Landgate has provided a technical land description for the subject property together with gross rental value estimates.

Valuation details are:-

Ref	Company	Project	Description	Estimated GRV
1.1	FQM Australia Nickel Pty Ltd	Ravensthorpe Nickel	Processing Plant	\$5,000,000
1.2	FQM Australia Nickel Pty Ltd	Ravensthorpe Nickel	Administration Block	\$220,000
1.3	FQM Australia Nickel Pty Ltd	Ravensthorpe Nickel	Accommodation Village	\$1,536,288
2.1	Galaxy Lithium Australia Ltd	Galaxy Lithium	Processing Plant	\$925,000
2.2	Galaxy Lithium Australia Ltd	Galaxy Lithium	Administration Block	\$80,000

Consultation:

The Chief Executive Officer has met with management of both mining companies and explained the process for conversion to Gross Rental Values. The financial impact, in terms of the resulting rate increase was also provided, based on the rate in \$ applicable in the 2011/2012 year.

Management acknowledged the need for the change, particularly from a rating equity point of view.

Statutory Obligations:

Section 6.28 of the Local Government Act, 1995 applies and states:

- (1) The Minister is to –
 - a) determine the method of valuation of land to be used by local government as the basis for the rate; and
 - b) publish a notice of the determination in the *Government Gazette*.
- (2) In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be –
 - a) where the land is used predominantly for rural purposes, the unimproved value of the land; and
 - b) where the land is used predominantly for non-rural purposes, the gross rental value of the land.

6.29 Valuation and rates on mining and petroleum interests

- (1) In this section –
relevant interest means –
 - a) a mining tenement held under the Mining Act 1978 (whether within the meaning given to that term by that Act or by the *Mining Act 1904³*); or
 - b) a permit, drilling reservation, lease or licence held under the *Petroleum and Geothermal Energy Resources Act 1967*.
- (2) Regardless of any determination made under section 6.28(1), the basis for a rate on a relevant interest is to be the unimproved value of the land, except as provided in subsection (3).
- (3) Subsection (2) does not apply to a relevant interest in a portion of land on which capital improvements are located if –
 - a) the Minister has determined under section 6.28(1) that the gross rental value of the land is to be used as the basis for a rate on that interest; and
 - b) the determination expressly excludes the application of subsection (2)

Policy Implications:

Nil

Budget / Financial Implications:

Rates raised in 2011/2012 are as follows;

Galaxy Lithium	- \$1834.14
FQM Ravensthorpe Nickel	- \$5157.99

Should a change to GRV rating for the administration blocks and accommodation be approved it is not expected that there would be a significant change to the UV rates raised however the GRV rate, based on the estimated values and the current rate in the \$ would result in an additional amount of \$8,000 (approx) being paid by Galaxy and \$193,000 (approx) by FQM Ravensthorpe Nickel.

Strategic Implications:

Nil

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations.
- **Economic:**
There are no known significant economic considerations.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Simple Majority

COUNCIL DECISION AND OFFICER RECOMENDATION		ITEM 10.4.4
Moved: Cr Lansdown		Seconded: Cr Norman
That Council support the conversion from Unimproved Valuation to Gross Rental Valuation for		
<ul style="list-style-type: none"> - portion of Lot 31 Newdegate – Ravensthorpe Road, Galaxy Lithium as described in Attachment 10.4.4 and - portion of Lot 1269 South Coast Highway, FQM Ravensthorpe Nickel as described in Attachment 10.4.4. 		
Carried: 5/0		Res: 251/11

*6.07pm – Cr Goldfinch and Cr Townsend returned to the meeting.
Cr Goldfinch resumed the Chair.*

10.4.5 RAVENSTHORPE SPORTING COMPLEX

File Ref:	
Applicant:	Not applicable
Location:	Ravensthorpe Sporting Complex
Disclosure of Officer Interest:	None
Date:	15 November 2011
Author:	Angela Jess – Manager Recreation Services
Authorising Officer:	Pascoe Durtanovich – Chief Executive Officer
Attachments:	None

Summary:

Consideration of two Committee recommendations from the meeting of the Ravensthorpe Entertainment Centre Management Committee on the 7th November 2011

Background:

The Ravensthorpe Entertainment Centre Management Committee Incorporated (RECMC) is not a Committee of Council, and has no decision making authority. The

RECMC is governed by its constitution and a Management Agreement signed by Council and the RECMC on the 4th August 2009.

The RECMC strive to achieve a number of objectives outlined in their planning document.

Comment:

There are two committee recommendations that require Council consideration.

1. The employment of three kitchen staff to provide regular meals at the Ravensthorpe Entertainment Centre. It is proposed the staff will be employees of the Shire of Ravensthorpe with wages to be deducted from membership and bar profits.
2. Funds were awarded from the Hopetoun Ravensthorpe Future Fund for the construction of a child safe area on the lower floor of the REC. Further investigation has deemed the proposed flooring as unsuitable and a more expensive option is required to complete the project. The RECMC agree to make this amount available from membership and bar profits with the endorsement of Council.

Consultation:

With the Ravensthorpe Entertainment Centre Management Committee Incorporated (RECMC).

Statutory Obligations:

Liquor licencing requirements as per the Liquor Control Act 1988

Policy Implications:

Nil

Budget / Financial Implications:

Council is required to endorse or reject all proposed expenditure recommended by the RECMC. Adequate funds are available from bar and membership profits.

Strategic Implications:

Shire of Ravensthorpe Strategic Plan Action plan 4.1, Action A refers.

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations.
- **Economic:**
The proposed improvements will increase patronage of the Ravensthorpe Entertainment Centre which will in turn provide an increase in economic opportunity for the centre.
- **Social:**
Will allow a broader use of the Ravensthorpe Entertainment Centre.

Voting Requirements:

Simple majority recommendation one 1.

Absolute majority recommendation 2.

