



AGENDA

For the Council Meeting to be held on

Thursday 17 May, 2018

Commencing at 5 p.m.

In the Hopetoun Community Centre.



SHIRE OF RAVENSTHORPE

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Ravensthorpe Shire Council for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Ravensthorpe Shire Council disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity that act or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of Ravensthorpe Shire Council during the course of any meeting is not intended to be and is not taken as notice of approval from the Ravensthorpe Shire Council. The Ravensthorpe Shire Council warns that anyone who has an application lodged with the Ravensthorpe Shire Council must obtain and only should rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Ravensthorpe Shire Council in respect of the application.

A handwritten signature in blue ink, appearing to read 'Ian Fitzgerald'.

Ian Fitzgerald
Chief Executive Officer

9/05/2018

65 Morgans Street Ravensthorpe WA 6346
Tel (08) 9839000; Fax (08) 98381282
E-mail: - shire@ravensthorpe.wa.gov.au



WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL

NOTE: USE ONE FORM PER DECLARATION

I, (1) _____ wish to declare an interest in the following item to be considered by council at its meeting to be held on (2)

Agenda item (3) _____

The type of interest I wish to declare is (4)

- Financial pursuant to Sections 5.60A of the Local Government Act 1995
- Proximity pursuant to Section 5.60B of the Local Government Act 1995
- Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995
- Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulation 2007

The nature of my interest is (5)

The extent of my interest is (6)

I understand that the above information will be recorded in the Minutes of the meeting and recorded by the Chief Executive Officer in an appropriate Register.

Signature

Date

RECEIVED BY:

Chief Executive Officer

Date

- (1) Insert you name.
- (2) Insert the date of the Council Meeting at which the item it to be considered.
- (3) Insert the Agenda Item Number and Title.
- (4) Tick the box to indicate the type of interest.
- (5) Describe the nature of your interest.
- (6) Describe the extent of your interest (if seeking to participate in the matter under the s.5.68 of the Act)

Financial pursuant to Sections 5.60A of the Local Government Act 1995**5.60A – Financial Interest**

For the purpose of this Subdivision, a person has a financial interest in a matter if it is reasonable to expect that the matter will if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

[Section 5.60A inserted by No. 64 of 1998 s. 30; amended by No. 49 of 2004 s. 50.]

Proximity pursuant to Section 5.60B of the Local government Act 1995**5.60B – Proximity Interest**

- (1). For the purposes of this Subdivision, a person has a proximity interest in a matter if the matter concerns –
 - (a). a proposed change to a planning scheme affecting land that adjoins the person's land;
 - (b). a proposed change to zoning or use of land that adjoins that person's land; or
 - (c). a proposed development (as defined in section 5.63 (5)) of land that adjoins the person's land.
- (2). In this section, land ("**the proposal land**") adjoins a person's land if –
 - (a). the proposal land, not being a thoroughfare, has a common boundary with the person's land;
 - (b). the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
 - (c). the proposal land is that part of a thoroughfare that has a common boundary with the person's land.
- (3). In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

[Section 5.60B inserted by No 64 of 1998 s. 30.]

Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995**5.61 – Indirect financial interest**

A reference in this Subdivision to an indirect financial interest of a person in a matter includes a reference to a financial relationship between that person and another person who requires a local government decision in relation to the matter.

Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulation 2007**11 – Disclosure of interest**

- (1). In this regulation –
Interest means an interest that could, or could reasonably be perceived to; adversely affect the impartiality of the person having the interest arising from kinship friendship or membership of an association.
- (2). A person who is a council member and who has an interest in any matter to be discussed at a council or committee meeting attended by the member must disclose the nature of the interest –
 - (a). in a written notice given to the CEO before the meeting;or

- (b). at the meeting immediately before the matter is discussed.
- (3). Sub-regulation (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4). Sub-regulation (2) does not apply if –
 - (a). A person who is a council member fails to disclose an interest because the person did not know he or she has an interest in the matter; or
 - (b). A person who is a council member fails to disclose an interest because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person disclosed the interest as soon as possible after the discussion began.
- (5). If, under sub-regulation (2)(a), a person who is a council member discloses an interest in a written notice given to the CEO before a meeting then –
 - (a). Before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (b). At the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before a matter to which the disclosure related is discussed.
- (6). If –
 - (a). Under sub-regulation (2)(b) or (4)(b) a person's interest in a matter is disclosed at a meeting; or
 - (b). Under sub-regulation (5) (b) notice of a person's interest in a matter is brought to the attention of the persons present at a meeting.

The nature of the interest is to be recorded in the minutes of the meeting.

Describe the extent of your interest (If seeking to participate in the matter under the s.5.68 of the act)

5.68 – Councils and committees may allow members disclosing interests to participate etc. in meetings

- (1). If a member has disclosed, under section 5.65, an interest in a matter, the members present at the meeting who are entitled to vote on the matter
 - (a). may allow the disclosing member to be present during any discussion or decision making procedure relating to the matter; and
 - (b). may allow , to the extent decided by those members, the disclosing member to preside at the meeting (if otherwise qualified to preside) or to participate in discussions and the decision making procedures relating to the matter if –
 - (i) the disclosing member also discloses the extent of the interest; and
 - (ii) those members decide that the interest –
 - (I) is so trivial or insignificant as to be unlikely to influence the disclosing member's conduct in relation to the matter; or
 - (II) is common to a significant number of electors or ratepayers
- (2). A decision under this section is to be recorded in the minutes of the meeting relating to the matter together with the extent of any participation allowed by the council or committee.
- (3). This sections does not prevent the disclosing member from discussing, or participating in the decision making process on, the question on whether an application should be made to the Minister under section 5.69.



**SHIRE OF RAVENSTHORPE
WORKS REQUEST FORM**

Name: _____

Date: ____/____/2018 Urgency: Low / Medium / High / Strategic

Road / Public Building / Area: _____

Request: _____

Description:

OFFICE USE ONLY:

Action Taken:

Comment:

Completed: ____/____/2018 Signature: _____

Inspected and/or authorised: _____
Chief Executive Officer



Application for Leave of Absence

(Pursuant to Section 2.25 of the Local Government Act 1995 (as amended))

- (1) A council may, by resolution, grant leave of absence to a member.
- (2) Leave is not to be granted to a member in respect to more than 6 consecutive ordinary meetings of the Council without the approval of the Minister.
- (3) The granting of the leave is to be recorded in the minutes of the meeting.
- (4) A member who is absent without first obtaining leave of the Council throughout 3 consecutive ordinary meetings of the Council is disqualified from continuing his or her membership of the Council.
- (5) The non-attendance of a member at the time and place appointed for an ordinary meeting of the Council does not constitute absence from an ordinary meeting of Council –
 - (a) if no meeting of the Council at which a quorum is present is actually held on that day; or
 - (b) if the non-attendance occurs while –
 - (i) the member has ceased to act as a member after which written notice has been given to the member under Section 2.27 (3) and before written notice has been given to the member under Section 2.27 (5);
 - (ii) while proceedings in connection with the disqualification of the member have been commenced and are pending; or
 - (iii) while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending.

I,, hereby apply for Leave of Absence from the Ravensthorpe Shire Council from..... to for the purpose of

Signed:..... Date:.....



**Shire of Ravensthorpe
Notice of Ordinary Council Meetings**

In accordance with the Local Government Act 1995 and Administration Regulation 12 (I) it, is hereby notified that as from January 2018 to December 2018, Ordinary Council meetings of the Shire of Ravensthorpe will be held as follows:

January 2018	No meetings scheduled	
12 February 2018	Ravensthorpe Council Chambers- Forum	1 pm
15 February 2018	Ravensthorpe Council Chambers	5 pm
12 March 2018	Ravensthorpe Council Chambers - Forum	1 pm
15 March 2018	Hopetoun Community Centre	5 pm
16 April 2018	Ravensthorpe Council Chambers - Forum	1 pm
19 April 2018	Ravensthorpe Council Chambers	5 pm
14 May 2018	Ravensthorpe Council Chambers - Forum	1 pm
17 May 2018	Hopetoun Community Centre	5 pm
18 June 2018	Ravensthorpe Council Chambers - Forum	1 pm
21 June 2018	Ravensthorpe Council Chambers	5 pm
16 July 2018	Ravensthorpe Council Chambers - Forum	1 pm
19 July 2018	Hopetoun Community Centre	5 pm
13 August 2018	Ravensthorpe Council Chambers- Forum	1 pm
16 August 2018	Ravensthorpe Council Chambers	5 pm
17 September 2018	Ravensthorpe Council Chambers - Forum	1 pm
20 September 2018	Munglinup Recreation Centre	5 pm
15 October 2018	Ravensthorpe Council Chambers - Forum	1 pm
18 October 2018	Ravensthorpe Council Chambers	5 pm
12 November 2018	Ravensthorpe Council Chambers - Forum	1 pm
15 November 2018	Hopetoun Community Centre	5 pm
17 December 2018	Ravensthorpe Council Chambers- Forum	1 pm
20 December 2018	Ravensthorpe Council Chambers	5 pm

Ratepayers and residents are welcome to attend the council meetings and participate in the Public Question time session which are held at the beginning of each Council Meeting.

Ian Fitzgerald
Chief Executive Officer

**ORDINARY MEETING OF COUNCIL
TO BE HELD IN THE HOPETOUN COMMUNITY CENTRE ON THURSDAY 17 MAY 2018,
COMMENCING AT 5PM**

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2. ATTENDANCE / APOLOGIES/ APPROVED LEAVE OF ABSENCE

MEMBERS: Cr Keith Dunlop (Shire President)
 Cr Julianne Belli (Deputy Shire President)
 Cr Kerry Dickinson
 Cr Ian Goldfinch
 Cr Thomas Major
 Cr Graham Richardson
 Cr Peter Smith

STAFF: Ian Fitzgerald (Chief Executive Officer)
 Darren Kennedy (Manager of Corporate and Community Services)
 Darryn Watkins (Manager Engineering Services)
 Helen Coleman (Personal Assistant)

APOLOGIES:

ON LEAVE OF ABSENCE:

ABSENT:

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

4. PUBLIC QUESTION TIME

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

6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

7. CONFIRMATION OF MINUTES

7.1 COUNCIL MEETING – 19 APRIL, 2018

OFFICER RECOMMENDATION	ITEM 7.1
That the minutes of the meeting of council held on 19 April, 2018 be confirmed as a true and correct record of proceedings subject to the following correction: Item 10.4.1, Resolution number 34/18, Point 1 – delete 2017/18 and insert 2018/19.	

8. SUSPENSION OF STANDING ORDERS
NIL

9. ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS

10. REPORTS OF OFFICERS**10.1 MANAGER OF CORPORATE AND COMMUNITY SERVICES****10.1.1 SCHEDULE OF ACCOUNT PAYMENTS – APRIL 2018****File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 30 April, 2018**Author:** Eimear Guidera – Creditors/Payroll Officer**Authorising Officer:** Stacey Howard – Senior Finance Officer**Attachments:** 10.1.1.a Schedule of Payments to 30 April, 2018
10.1.1.b Credit Card Transactions to 03 April, 2018**Summary:**

A local government is to develop procedures for the authorisation of, and payment of, accounts to ensure that there is effective security for, which money or other benefits may be obtained.

Background:**2017/18**

Month	Cheques	EFT Pymts	Direct Debits	Credit Card	Payroll	Trust	Total Payments
Jul	37,315.63	693,920.97	7,794.46	1,914.65	200,694.82	17,796.30	959,436.83
Aug	10,517.76	418,977.10	3,585.31	13,281.22	304,458.69	39,358.05	790,178.13
Sep	39,483.76	1,085,067.72	16,084.74	1,941.35	192,831.32	42,668.10	1,378,076.99
Oct	24,464.11	617,064.01	6,884.19	6,093.86	223,189.24	29,618.30	907,313.71
Nov	36,325.38	1,296,598.61	4,290.18	6,093.86	202,697.02	30,975.98	1,576,981.03
Dec	17,116.66	1,573,742.04	4,477.64	8,479.76	209,705.97	15,181.75	1,828,703.82
Jan	43,339.68	1,842,094.30	0.00	4,933.82	288,703.98	37,283.67	2,216,355.45
Feb	29,956.49	1,870,135.68	478.72	2,374.06	198,812.82	61,295.45	2,163,053.22
Mar	22,517.76	2,708,533.94	1,609.00	4,897.72	193,132.22	36,202.30	2,966,892.94
Apr	35,726.80	638,776.93	91,103.10	4,130.19	187,665.95	3,764.05	961,167.02
May							0.00
Jun							0.00
Total	296,764.03	12,744,911.30	136,307.34	54,140.49	2,201,892.03	314,143.95	15,748,159.14

Comment:

This schedule of accounts as presented, submitted to each member of the Council, has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices computation, and costing's and the amounts shown have been paid.

Consultation:

N/A

Statutory Obligations:

Local Government Act (1995) section 6.8 (2)(b) – expenditure incurred is to be reported to the next ordinary meeting of Council.

Local Government (Financial Management) Regulations (1996)

Reg 11: Payments, procedures for making etc.

Reg 12: Payments from municipal fund or trust fund, restrictions on making.

Reg 13: Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

Policy Implications:

F1: Credit and Fuel Cards

F2: Payment of Accounts and Purchasing Authority Limits

F6: Purchasing Policy

F7: Regional Price Preference Policy

Budget / Financial Implications:

All expenditure has been approved via adoption of the 2017/18 Annual Budget, or resulting from a Council resolution for a budget amendment.

Strategic Implications:

Strategic Community Plan 2014 – 2024

Theme 4 – Civic Leadership: 4.2 High quality corporate governance, accountability & compliance.

Risk:

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation

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 RECOMMENDATION

ITEM 10.1.1

That Council, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996, the payment of accounts for the month of April 2018, be noted.

10.1.2 REVERSAL OF RATES RAISED IN ERROR

File Ref:	A11620
Applicant:	Internal
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	7 May, 2018
Author:	Darren Kennedy Manager Corporate and Community Services
Authorising Officer:	Ian Fitzgerald – Chief Executive Officer
Attachments:	10.1.2 Polkinghorn – Births, Deaths & Marriages Search

Confidential Item

This report is considered confidential in accordance with the Local Government Act 1995, as it relates to the personal affairs of any person (Section 5.23(2)(b)).

Summary:

This report recommends the reversal of rates outstanding on the Assessment A11620 – 102 Martin Street, Ravensthorpe totalling \$5,350.15

Background:

Outstanding rates have arisen due to an administrative error dating back to July 2015 when Council resolved the following:

Res 68/15

“That Council write off the balance outstanding rates and interest owing on A11620 in accordance with Section 6.12 of the Local Government Act 1995 as the debtor cannot be located.”

At the time, rates outstanding of \$1,084 had arisen due to the property first becoming rateable in the Shire’s rating system in 2014/15 following the discovery of a historical Landgate valuation.

The July 2015 report recommended that the property become non-rateable but it appears that this has not occurred and as a result, rates and penalty interest have continued to be raised.



The subject property owned by a Thomas William Polkinghorn is a historical title dating back to the early 1900's. All surrounding property in this area has previously reverted to the crown and it is unknown as to why this lot has been excluded.

A recent search of the WA Births, Deaths and Marriages (Refer attachment 10.1.2) could not confirm a date of death in Western Australia for anyone of this name, and that may account for non-reverted previously. No date of death simply means that the owner has died interstate or internationally.

Comment:

Legal advice received in relation to this matter in 2015 provided 3 options under the *Local Government Act (1995)*.

The preferred option to expedite the process and minimise administrative costs was to apply to the Minister for Planning, Lands and Heritage under Section 6.74 for the Land to be reverted in the Crown.

If the application to the Minister is refused the Shire will have to proceed under Section 6.64 to take possession of the land and attempt to sell for a period of 12 months before being in a position to transfer to the Crown or the Shire itself.

The following is a summary of the recommended actions to clear the rates outstanding:

1. Reversal of the rates balance of \$5,350.15 (raised in error and not recoverable);
2. Immediately mark assessment A11620 as non-rateable in the Rate Book despite a rateable valuation being held. (prevents further rates and interest being levied); and
3. Make application to the Minister for Planning, Lands and Heritage under Section 6.74 to revest Lot 505 Martin Street to the Crown.

Consultation:

McLeods Barristers & Solicitors – 2015

Statutory Obligations:

Local Government Act (1995) Section 6.64: Action to be taken to recover rates or service charges and Section 6.74: Power to have land revested in Crown if rates in arrears 3 years.

Policy Implications:

This is in accordance with the Debt Recovery Policy submitted for Council approval May 2018.

Budget / Financial Implications:

Rate and penalty interest income will be reduced by \$5,350.15 for 2017/18.

This will not have a material impact on the 2017/18 net result.

Strategic Implications:

Strategic Community Plan 2014 – 2024

Theme 4 – Civic Leadership: 4.2 High quality corporate governance, accountability & compliance.

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 RECOMMENDATION

ITEM 10.1.2

That Council:

1. Reverse the balance of outstanding rates and interest owing on A11620, in accordance with Section 6.12 of the *Local Government Act (1995)*;
2. Approve assessment A11620 being marked as non-rateable; and
3. Request the Chief Executive Officer to apply to the Minister for Planning, Lands and Heritage to re-vest Lot 505 on Deposited Plan 127012 to the Crown in accordance with Section 6.74 of the *Local Government Act (1995)*.

10.1.3 RAVENSTHORPE COMMUNITY CHILD CARE INC - ACQUISITION

File Ref:	
Applicant:	Internal
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	7 May, 2018
Author:	Darren Kennedy Manager Corporate & Community Services
Authorising Officer:	Ian Fitzgerald – Chief Executive Officer
Attachments:	10.1.3 RCCC Inc. Audit 30 June 2016

Summary:

To confirm Council's past intention to take over the ownership and operation of the Ravensthorpe Community Child Care Centre Inc. ("RCCC") with an effective date of 1 July 2016.

Background:

Council resolved (63/15) at the June 25, 2015 Ordinary Meeting of Council that:

- 1. Agree to take over the license and management for the Ravensthorpe Child Care Centre and authorise the Chief Executive Officer to initiate the appropriate actions.*
- 2. That the parents advisory committee be established with a clear Terms of reference including liaison between parents and Council and responsibility for minor centre purchases such as toys.*
- 3. Regularly monitor usage numbers and financial performance of the Centre with a view that the service be suspended or withdrawn should numbers drop for a 6 month period of time and it is no longer financially viable.*
- 4. Chief Executive Officer to report to Council quarterly on the operations and finances of the Centre*

Subsequent to the above, the Shire became the approved Service Provider effective from 23 October 2015. From an accounting perspective the RCCC operation was maintained as a separate entity for the balance of the 2015/16 financial year. This was to allow for a final audit of the RCCC to be completed so that the audited assets & liabilities of the RCCC could be brought into the Shire's consolidated financial statements for the year ending 30 June 2016.

The final RCCC audit was considerably delayed and only received by the Shire in April 2018.
(Refer attached)

As a result the Shire's financial audits for the years ending 30 June 2016 and 30 June 2017 do not correctly reflect the financial transactions of the "Cub House Child Care Centre" ("Cub House").

The Office of the Auditor General (OAG) have confirmed that the required correction is not considered material. An error correction note in the financial statements for the year ending 30 June 2018 will be required to meet Australian Accounting Standards disclosure requirements. This will reflect the assets and liabilities acquired by the Shire from the RCCC on 1 July 2016 omitted and correct the relevant misstated balance sheet items.

Whilst the 30 June 2017 financial statements of the Shire do not reflect the transactions of the Cub House, it should be noted they were audited as part of the overall Shire audit.

Comment:

This is essentially an accounting administrative process to finalise the acquisition of the RCCC by bringing the opening balance of assets and liabilities into the financial statements of the Shire of Ravensthorpe effective from 1 July 2016.

Consultation:

Russell Harrison (Auditor) – Lincolns
Office of the Auditor General.

Statutory Obligations:

Section 6.4 of the Local Government Act (1995) prescribes that annual financial reports of a Local Government are to be in accordance with Australian Accounting Standards.

Policy Implications:

N/A

Budget / Financial Implications:

N/A

Strategic Implications:

Strategic Community Plan 2014 – 2024

Theme 4 – Civic Leadership: 4.2 High quality corporate governance, accountability & compliance.

Risk:

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation

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 RECOMMENDATION	ITEM 10.1.3
<p>That Council:</p> <ol style="list-style-type: none"> 1. Reaffirms the intention of Resolution 63/15 to take over the ownership and operation of the Ravensthorpe Community Child Care Inc. effective 30 June 2016. 2. Requests the Chief Executive Officer to make the adjustments to the Financial Statements of the Shire of Ravensthorpe to reflect the audit and acquisition of the Ravensthorpe Community Child Care Inc. as at 30 June 2016 in accordance with the Australian Accounting Standards. 	

10.1.4 DEBT RECOVERY POLICY AND GUIDELINES**File Ref:****Applicant:**

Internal

Location:

Shire of Ravensthorpe

Disclosure of Officer Interest:

None

Date:

7 May, 2018

Author:

Darren Kennedy

Manager Corporate and Community Services

Authorising Officer:

Ian Fitzgerald – Chief Executive Officer

Attachments:

10.1.4 – F15 Debt Recovery Policy and Guidelines.

Summary:

For Council to adopt a policy that provides guidance to shire officers for Debt Recovery.

Background:

Council does not have a Debt Recovery Policy for Rates and Sundry Debtors.

The objective of a Debt Recovery Policy & Guideline is to ensure that a consistent approach is applied to all debts and improve the current ad hoc approach to recovery actions.

Comment:

The Shire has close to 2000 rate assessments.

To efficiently manage the debt recovery associated with this volume of assessments and to mitigate the risk posed by frequent staff turnover in the rates area, a Debt Recovery Policy and Guideline is considered an essential administrative tool.

The rates debt recovery process under the *Local Government Act (1995)* is onerous and this Policy and Guideline will help streamline future debt recovery activities and provide Council with assurance that the rates and sundry debtor book are being managed effectively.

Consultation:

Rates Officer

Various other Local Governments

WALGA

Statutory Obligations:

Section 6.60 and Section 6.64 of the *Local Government Act (1995)* detail the options and process for recovery of rates.

Policy Implications:

Subject to Council approval the new Debt Recovery Policy will provide guidance to Council and Shire Officers on the approach to be taken for Debt Recovery.

Budget / Financial Implications:

Nil

Strategic Implications:

Strategic Community Plan 2014 – 2024

Theme 4 – Civic Leadership: 4.2 High quality corporate governance, accountability & compliance.

Risk:

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation

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 RECOMMENDATION ITEM 10.1.4
That Council adopts the Debt Recovery Policy.

**10.1.5 SOUTH COAST HIGHWAY PROCLAMATION – BALANCE SHEET
ADJUSTMENTS****File Ref:****Applicant:**

Internal

Location:

Not applicable

Disclosure of Officer Interest:

None

Date:

7 May, 2018

Author:

Darren Kennedy

Manager Corporate and Community Services

Authorising Officer:

Ian Fitzgerald – Chief Executive Officer

Attachments:

10.1.5 Heavy Haulage Route

Summary:

As part of the Ravensthorpe Heavy Vehicle bypass, de-proclamation of Morgans, Coleman and Jamieson Streets was gazetted on 6 June 2017. This resulted in significant assets in the region of ~\$5.6M transferring to the Shire of Ravensthorpe.

Accounting for the above was over looked during the completion of the 2016/17 audit.

This report outlines the corrective action that needs to be taken following consultation with the Office of the Auditor General (OAG) and auditors – Lincolns as the dollar value involved constitutes a material misstatement.

Background:

At the Ordinary meeting of Council on 15 September 2016, Council resolved the following:

Res: 108/16

“That Council endorses the proposal to proclaim the heavy vehicle route as part of the South Coast Highway and de-proclaim those sections being transferred to the Shire of Ravensthorpe”

Upon de-proclamation on 6 June 2017 the assets essentially gifted from Main Roads Western Australia (MRWA) needed to be recognised in the asset register of the Shire. As this didn't occur the OAG and Lincolns have referred the Shire to AASB 108 – Accounting Policies, Changes in Accounting Estimates and Errors to process the necessary adjustments.

This firstly involves obtaining a fair valuation for all the assets transferred to the Shire as at 30 June 2017. MRWA have provided the breakdown of their written down values at the time of transfer of \$5.647M. This is not a fair valuation however and will need to be independently verified to facilitate the initial recognition in the Shire's Asset register.

Value of Former South Coast Hwy (H918) & Ravensthorpe Hopetoun Rd (M959) transferred to Shire of Ravensthorpe				
		M959	H918	Total
	Cost			
	Land Under Road	-	-	7,830.00
	Earthworks	767,480.06	3,414,381.51	4,181,861.57
	Pavement-Drainage	472,472.69	2,883,816.29	3,356,288.98
	Seal	40,113.39	438,103.02	478,216.41
		1,280,066.14	6,736,300.82	8,024,196.96
	Accum Depn			
	Land Under Road			
	Earthworks	-	450,035.09	450,035.09
	Pavement-Drainage	443,304.61	1,289,741.54	1,733,046.15
	Seal	29,381.35	164,207.41	193,588.76
		472,685.96	1,903,984.04	2,376,670.00
	NBV retired			
	Land Under Road	-	-	7,830.00
	Earthworks	767,480.06	2,964,346.42	3,731,826.48
	Pavement-Drainage	29,168.08	1,594,074.75	1,623,242.83
	Seal	10,732.04	273,895.61	284,627.65
	WDV	807,380.18	4,832,316.78	5,647,526.96

The Shire at 30 June 2018 is also due to revalue the Infrastructure asset class as part of the fair valuation cycle.

Howson Management, provided the Shire with Roads, Footpaths and Drainage Valuations in 2017. They also assisted with the maintenance of the Shire's ROMAN2 database which is used by all WA Local Governments to determine fair value of road networks.

Given Howson Managements' past experience and our Auditors being familiar with their work it is recommended that Howson Management be engaged to provide a componentised fair valuation report as at the 30 June 2018 and that separately Howson Management provide a fair valuation for the assets transferred from MRWA on 6 June 2017 effective as at 30 June 2017.

Once valuations are held the necessary adjustments, restatements and notes required as part of the 30 June 2018 audit can be drafted in accordance with AASB 108.

Comment:

The accounting adjustments are required to meet compliance with the Australian Accounting standards and to ensure that the Shire does not receive a qualified audit report.

Asset management plans & LTFP's revisions will need to take into account the impact of the increase to the Shire's road asset base. The increased infrastructure asset value will also have an initial negative impact on asset related ratios that will need explanation.

Consultation:

Russell Harrison (Auditor) – Lincolns
Office of the Auditor General.
Howson Management

Statutory Obligations:

Section 6.4 of the *Local Government Act (1995)* prescribes that annual financial reports of a Local Government are to be in accordance with Australian Accounting Standards.

Policy Implications:

N/A

Budget / Financial Implications:

Within the Other Property & Services Program there is a budget allocation of \$52,000 for consultants. Year to date this is drawn to \$27,000.

A quote will be obtained from Howson Management but it is not expected to exceed the available budget.

Strategic Implications:

Strategic Community Plan 2014 – 2024

Theme 4 – Civic Leadership: 4.2 High quality corporate governance, accountability & compliance.

Risk:

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation

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 RECOMMENDATION	ITEM 10.1.5
That Council:	
1. Receive the report, noting the requirement to correct a material misstatement in accordance with AASB 108 – Accounting Policies, Changes in Accounting Estimates and Errors; and	
2. Request the Chief Executive Officer to obtain a fair valuation of the assets acquired on 6 June 2017 from Main Roads Western Australia effective at 30 June 2017.	
3. Request the Chief Executive Officer to obtain a fair valuation of the infrastructure asset class as at 30 June 2018, for the purposes of revaluing this asset class.	

10.1.6 MONTHLY FINANCIAL REPORT – 30 APRIL 2018

File Ref:	
Applicant:	Internal
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	8 May 2018
Author:	Darren Kennedy Manager Corporate & Community Services
Authorising Officer:	Not applicable
Attachments:	10.1.6 – Monthly Financial Reports for April 2018

Summary:

In accordance with the *Local Government Financial Management Regulations (1996)*, Regulation 34, a local government is to prepare a monthly Statement of Financial Activity for approval by Council.

Background:

Council is requested to review the April 2018 Monthly Financial Reports.

Comment:

The April 2018 Monthly Financial Reports are presented for review.

Consultation:

Senior Finance Officer

Statutory Obligations:

Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996 apply

Policy Implications:

Nil

Budget / Financial Implications:

All expenditure has been approved via adoption of the 2017/18 Annual Budget, or resulting from a Council Motion for a budget amendment.

Strategic Implications:Strategic Community Plan 2014 – 2024

Theme 4 – Civic Leadership: 4.2 High quality corporate governance, accountability & compliance.

Risk

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation

Sustainability Implications:

- **Environmental**
Not applicable to this specific recurring report
- **Economic**
Not applicable to this specific recurring report
- **Social**
Not applicable to this specific recurring report.

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION	ITEM 10.1.6
That Council:	
Receive the April 2018 Monthly Financial Reports as presented.	

10.2 MANAGER OF PLANNING AND DEVELOPMENT

10.2.1 LOCAL PLANNING SCHEME NO. 6 – AMENDMENT NO. 1

File Ref:	N/A
Applicant:	Internal
Location:	Shire of Ravensthorpe
Date:	30 April 2018
Author:	Richard Hindley
Authorising Officer:	Ian Fitzgerald
Attachments:	Attachment 10.2.1.a - Amendment No.1 Attachment 10.2.1.b – Submissions Attachment 10.2.1.c - Schedule of Submissions

Summary:

For Council to consider supporting draft Amendment No. 1 for approval subject to modifications as a result of the public exhibition that was undertaken as well as the internal assessment of the Amendment during the same period.

Background:

Notice of Final Approval of the Shire of Ravensthorpe Local Planning Scheme No. 6 ('the Scheme') was published in the Government Gazette on the 11 July 2017. A review of the Scheme has now been undertaken and a Scheme Amendment has been prepared to modify the Scheme.

This amendment seeks insert a number of new and expanded provisions to improve consistency between Local Planning Scheme No. 6 and the Shire of Esperance's Local Planning Scheme No. 24.

A number of other modification are proposed to improve the clarity of the Scheme and to ensure the ease if its interpretation by the users of the document.

A new Special Control Area is proposed over the Unallocated Crown Land in the Shire that is zoned 'Rural'. This approach inserts identical controls that are in Special Control Area No. 10 in the Shire of Esperance's Local Planning Scheme No. 24.

The deletion of all clauses relating to the 'General Industry' zone and conversion of all this land to 'Light Industry' is also undertaken by this amendment.

Map modifications are proposed to reflect the changes made within the Scheme text.

Corrections have also been made to several incorrect references.

Site Description

Shire of Ravensthorpe

Zoning and Scheme Requirements

This item relates to a Scheme Amendment.

Comment:

This omnibus amendment details numerous modifications to the Scheme.

The modifications fall into the following categories:

1. Amending Land Uses within Clause 3.2;
2. Removing the 'General Industry' zone;
3. Introducing new exemptions;
4. Updating the Potable Water Standard in the Scheme;
5. Inserting provisions for Sites with more than one street frontage;
6. Inserting provisions for Reciprocal and Shared Parking;
7. Inserting provisions for Parking of Commercial Vehicles;
8. Inserting provisions for Effluent Disposal;
9. Inserting provisions for Light Overspill;
10. Updating the Caretakers Dwelling provisions;
11. Updating the Second-hand Dwellings and Repurposed Dwelling provisions;
12. Inserting provisions for Shipping Containers;
13. Inserting a new Special Control Area for Undeveloped Rural Areas;
14. Inserting new definitions into the Scheme;
15. Updating Schedule 2 to clarify development standards;
16. Inserting a new Schedule for Exempted Signage and Advertising;
17. Amending the Scheme Map to reflect changes in the Text; and
18. Correct typographical errors in the Scheme.

The proposed provisions are consistent with the Local Planning Strategy.

Proposal

Amend the numbering of Clause 2.3

This modification is the renumbering of the clause to allow the insertion of a new clause.

Amend Clause 2.3 by inserting as a new Clause b)

This modification inserts a new provision that allows a Shire managed reserve to be used for the purposes of developing or maintaining public infrastructure despite the purposes that is assigned for the reserve under the Scheme.

Amend the Scheme by adding a point iii to Clause 3.1 e)

This modification inserts a new objective into the 'Light Industry' zone to cater for its expansion to include the land formerly zoned 'General Industry'. It is proposed to rezone all 'General Industry' zoned land to 'Light Industry' as the uses permitted in both zones are nearly identical. As a component of this all parts of the Scheme that reference the 'General Industry' zone require deletion.

Amend the Scheme by deleting Clause 3.1 f)

This modification deletes the objectives for the 'General Industry' zone. It is proposed to rezone all 'General Industry' zoned land to 'Light Industry' as the uses permitted in both zones are nearly identical. As a component of this all parts of the Scheme that reference the 'General Industry' zone require deletion.

Amend Clause 3.2 Zoning Table by amending the order of Use Classes

This modification resorts the Zoning Table so that land uses are sorted alphabetically. It is also proposed to remove the subheadings so that the Table reads as a traditional zoning table.

Amend Clause 3.2 Zoning Table by amending the permissibility of 'Repurposed dwelling'

This modification amends the permissibility of 'repurposed dwelling' to 'X' in the 'Residential, Rural Townsite and Mixed Use' zones. The use retains the same permissibility in all other zones.

Amend Clause 3.2 Zoning Table by amending the permissibility of 'Exhibition Centre'

This modification amends the permissibility of 'Exhibition Centre' to 'A' in the 'Light Industry' zone. It is proposed to rezone all 'General Industry' zoned land to 'Light Industry' as the proposed change is as a result of amalgamating the zones.

Amend Clause 3.2 Zoning Table by amending the permissibility of 'Reception Centre'

This modification amends the permissibility of 'Reception Centre' to 'X' in the 'Light Industry' zone. It is proposed to rezone all 'General Industry' zoned land to 'Light Industry' as the proposed change is as a result of amalgamating the zones

Amend Clause 3.2 Zoning Table by amending the permissibility of 'Trade Supplies'

This modification amends the permissibility of 'Trade Supplies' to 'A' in the 'Light Industry' zone. It is proposed to rezone all 'General Industry' zoned land to 'Light Industry' as the proposed change is as a result of amalgamating the zones

Amend Clause 3.2 Zoning Table by deleting the 'General Industry' zone

This modification deletes the 'General Industry' zone from the Zoning Table. It is proposed to rezone all 'General Industry' zoned land to 'Light Industry' as the uses permitted in both zones are nearly identical. As a component of this all parts of the Scheme that reference the 'General Industry' zone require deletion

Amend Clause 3.2 Zoning Table by inserting 'Renewable energy facility'

This modification introduces a renewable energy facility as a land use within the Zoning Table and assigns permissibilities based on zone.

Amend Clause 3.2 Zoning Table by inserting 'Winery'

This modification introduces a renewable energy facility as a land use within the Zoning Table and assigns permissibilities based on zone.

Amend the Scheme by inserting a new clause 61(1)(o) into Schedule A

This modification incorporates exemptions for shipping containers where it is not:

- Fully enclosed within a building;
- To be used for the storage of plant, machinery or building equipment where a building permit is current and construction is taking place, provided that the Shipping Container shall be removed within 14 days of completion of construction; or
- A component of an otherwise approved commercial or industrial land use.

This modification is related the incorporation of controls in relation to sea containers as part of this Amendment.

Amend the Scheme by inserting a new clause 61(1)(p) into Schedule A

This modification introduces an exemption for signage that is contained within a new Schedule that is proposed to be inserted into the Scheme. This approach was also taken in Scheme No. 5.

Amend the Scheme by inserting a new clause 61(1)(q) into Schedule A

This modification introduces an exemption for Agricultural activities within the 'Rural' zone. This clause exempts the use of land for 'Agriculture – Extensive' purposes, the erection of windmills and the construction of water tanks, dams and soaks in the 'Rural' zone in compliance with the setback standards contained in Schedule 2.

Amend the Scheme by inserting a new clause 61(1)(r) into Schedule A

This modification introduces an exemption for satellite dishes. The exemption applies where the proposed dish has a diameter of 1.2 metres or less.

Amend the Scheme by inserting a new clause 61(1)(s) into Schedule A

This modification introduces an exemption for a 'renewable energy facility' that is incidental in nature to the use of the land.

Amend the Scheme by inserting a new clause 61(1)(t) into Schedule A

This modification introduces an exemption for a solar hot water system. This exemption is included as based on the current exemptions any commercial premise would need development approval to install solar hot water.

Amend the Scheme by replacing Clause 4.29 with a new heading of 'Potable Water Supply'

This modification introduces a new potable water provision into the Scheme that is consistent with Statement of Planning Policy 2.5 Rural Planning and the associated Rural Planning Guidelines. It should be noted that the formula has had a slight modification with a reduced water consumption rate that reflects usage of tank water when compared to reticulated water.

Amend the Scheme by inserting a new clause 4.33 with the heading 'Site with more than One Street Frontage'

This modification introduces a new provision to provide controls for determining setbacks when a development site has more than one street frontage.

Amend the Scheme by inserting a new clause 4.34 with the heading 'Reciprocal Parking and Shared Parking'

This modification introduces new provisions to manage Reciprocal Parking and Shared Parking. Currently the Scheme does not allow parking to be offset either by time of use or alternative sites and this provision allows this to occur.

Amend the Scheme by inserting a new clause 4.35 with the heading 'Parking of Commercial Vehicles in Residential Areas'

This modification introduces that no person shall park within the 'Residential' or 'Rural Townsite' zone a commercial vehicle without the development approval of the local government. Where the commercial vehicle parking use is proposed in the 'Residential' or 'Rural Townsite' a number of criteria are specified.

Amending the Scheme by inserting a new clause 4.36 with the heading 'Effluent Disposal'

This modification introduces criteria for effluent disposal into the Scheme. These criteria relate on-site effluent disposal systems being to the specifications and satisfaction of the local government. Requirements for the use of 'non-standard' effluent disposal systems may be required at the discretion of the local government.

Amend the Scheme by inserting a new clause 4.37 with the heading 'Light Overspill'

This modification introduces a restriction on Floodlights, spotlights and all other forms of lighting shall be constructed, oriented and controlled so as not to adversely impact on the amenity of any adjacent residents or cause a traffic hazard in the adjacent road network.

Amend the Scheme by replacing Clause 4.25

This modification to the Scheme expands on the requirements for 'caretakers dwellings'. The provision is an extension to the current clause and in particular requires that the when the main use of the site ceases the 'caretakers dwelling' approval is to cease.

Amend the Scheme by replacing Clause 4.27

This modification to the Scheme expands on the requirements for 'Second-hand dwellings' and 'Repurposed dwelling'. The provisions retain the requirement for approval to be issued whilst providing a wider range of criteria by which to assess applications.

Amend the Scheme by replacing '4.31.1' within Clause 4.30.2 with '4.30.1'

This modification corrects an incorrect clause reference within Clause 4.30.2.

Amend the Scheme by replacing '4.31.1' within Clause 4.30.3 with '4.30.1'

This modification corrects an incorrect clause reference within Clause 4.30.3.

Amend the Scheme by inserting a new clause 4.38 with the heading 'Shipping Container Requirements'

It is proposed to introduce shipping container requirements into the Scheme. These requirements are currently in policy and this approach reflects that undertaken by the Shire of Esperance in Local Planning Scheme No. 24.

Amend the Scheme by inserting a new clause 4.39 with the heading 'Outbuildings in the Residential and Rural Residential Zones'

It is proposed to restrict the development of outbuildings on a 'Residential' or 'Rural Residential' zoned lots so it is not permitted unless development approval has already been issued for the erection of a single house, grouped dwelling or multiple dwelling on the lot.

Amend the Scheme by inserting a new clause 4.24.4

It is proposed to introduce a new provision that exempts 'Telecommunications Infrastructure' within the 'Rural' zone from the setbacks assigned in Schedule 2.

Amend the Scheme by renumbering the second Clause 5.1.1 with Clause 5.1.2

This modification corrects an incorrect clause reference within Clause 5.1.2.

Amend the Scheme by inserting a new clause within Table 12 – Special control areas in the Scheme

It is proposed to insert a new Special Control Area with the unallocated crown land areas that are zoned 'Rural' in the Scheme. This Special Control Area is consistent with a comparable clause within the Shire of Esperance Local Planning Scheme No 24 and it seeks to provide for mining activity, low key eco-tourism uses, environmental conservation and agricultural land uses within the area subject to a range of appropriate controls.

Amend Clause 6.2 by inserting the definition of Renewable Energy Facility

It is proposed to insert a new land use into Clause 3.2 – zoning table and this definition is included from the Planning and Development (Local Planning Schemes) Regulations 2015.

Amend Clause 6.2 by inserting the definition of Winery

It is proposed to insert a new land use into Clause 3.2 – zoning table and this definition is included from the Planning and Development (Local Planning Schemes) Regulations 2015.

Amend the Scheme by replacing 'Ni' within the front setback of Non-residential uses in the Rural Townsite zone Schedule 2 with 'Nil'.

It is proposed to correct a typographical error with this modification.

Amend the Scheme by replacing 'variable' within the rear setback of Non-residential uses in the Rural Townsite zone Schedule 2 with 'Nil'.

The use of the word 'variable' creates uncertainty both for developers and assessing officers. It is proposed to insert a standard in the place of an undefined attribute. In this instance it is proposed that the rear setback of non-residential uses in the 'Rural Townsite' zone be listed as 'Nil'.

Amend the Scheme by replacing 'variable' within the landscaping of Non-residential uses in the Rural Townsite zone Schedule 2 with '10'.

The use of the word 'variable' creates uncertainty both for developers and assessing officers. It is proposed to insert a standard in the place of an undefined attribute. In this instance it is proposed that the landscaping of non-residential uses in the 'Rural Townsite' zone be listed as '10',

Amend the Scheme by replacing 'variable' within the rear setback of Non-residential uses in the Mixed Use zone Schedule 2 with 'Nil'.

The use of the word 'variable' creates uncertainty both for developers and assessing officers. It is proposed to insert a standard in the place of an undefined attribute. In this instance it is proposed that the rear setback of non-residential uses in the 'Mixed Use' zone be listed as 'Nil'.

Amend the Scheme by replacing 'variable' within the landscaping of Non-residential uses in the Mixed Use zone Schedule 2 with '10'.

The use of the word 'variable' creates uncertainty both for developers and assessing officers. It is proposed to insert a standard in the place of an undefined attribute. In this instance it is proposed that the landscaping of non-residential uses in the 'Mixed Use' zone be listed as '10',

Amend the Scheme by replacing 'Variable' within the Plot Ratio of Tourism in Schedule 2 with '0.75'.

The use of the word 'variable' creates uncertainty both for developers and assessing officers. It is proposed to insert a standard in the place of an undefined attribute. This modification introduces a plot ratio requirement of 0.75. This allows a wide range of development to occur without encountering a restriction under the Scheme and is particularly pertinent for smaller lots.

Amend the Scheme by replacing 'Variable' within the Rear Setback of Tourism in Schedule 2 with 'Nil(i)'.

The use of the word 'variable' creates uncertainty both for developers and assessing officers. It is proposed to insert a standard in the place of an undefined attribute. In this instance it is proposed that the rear setback of non-residential uses in the 'Tourism' zone be listed as 'Nil(i)'

Amend the Scheme by inserting a new box for 'Tourism' to clarify Setback standards in Schedule 2

It is proposed to introduce a new standard as (i) under the 'Tourism' zone. This is a conditional variation that stipulates that where a development in the 'Tourism' zone adjoins the 'Residential' zone the minimum setback shall be at the discretion of the local government.

Amend the Scheme by deleting the row 'General Industry' in Schedule 2.

All 'General Industry' zoned land will become 'Light Industry' on the Scheme Map. A number of modifications such as this one are proposed throughout this amendment to support the removal of the 'General Industry' zone.

Amend the Scheme by replacing 'Variable' within the Plot Ratio of Light Industry in Schedule 2 with '0.6'.

The use of the word 'variable' creates uncertainty both for developers and assessing officers. It is proposed to insert a standard in the place of an undefined attribute. This modification introduces the plot ratio requirement contained within Local Planning Policy No.7 – Industrial Design Guidelines into the Scheme.

Amend the Scheme by inserting a new Schedule 5 with the heading 'Exempted Signage and Advertising'

It is proposed to reintroduce a Schedule into the Scheme that list the exempted signage. The proposed exemptions are consistent with what was provided for in Scheme No. 5 and the Signage Local Planning Policy.

Amend the Scheme Map by showing all 'General Industry' zoned land as 'Light Industry'

This modification deletes the 'General Industry' zone from the Scheme Map. All 'General Industry' zoned land will become 'Light Industry' on the Scheme Map. A number of other modifications are proposed throughout this amendment to support the removal of the 'General Industry' zone.

Amend the Scheme Map by showing SCA5 as depicted on the Scheme Amendment Map

This modification inserts SCA5 onto the Scheme Map. The area identified is those areas that are zoned 'Rural' and are also unallocated crown land.

A full copy of the amendment documentation is attached (Attachment A).

In addition to the proposed modification from the consultation additional modification is required to correct a numbering error within the amendment.

Consultation:

Upon receiving consent to advertise from the Western Australian Planning Commission, LPS 24 Amendment No. 2 was advertised for public comment in accordance with the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The advertising was commenced on 22 February 2018 and closed on 27 April 2018 being a period of 64 days. Advertising consisted of:

- Advertising notice in the Community Spirit – 22 February 2018;
- Notice placed on the Shire of Ravensthorpe Facebook Page;
- Amendment documentation being available via the Shire of Ravensthorpe's website;
- Copies of the Amendment being placed in the Ravensthorpe and Hopetoun Shire Offices; and
- Referral letters to government departments and servicing agencies.

At the close of the advertising period a total of seven (7) submissions (Attachment B) were received, all of which were from Government Departments and Servicing Agencies. Six of the submissions from servicing and government agencies gave no comment or objection to the proposed amendment. One submission requested a minor modification to one of the clauses as outlined in the Schedule of Submissions (Attachment C).

Statutory Obligations:

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Local Planning Scheme No. 6

Policy Implications:

A number of the provisions introduced by this amendment will result in the amendment of a number of local planning policies. Given the length of time it take to finalise the amendment process the current proposed policy framework should be maintained until such time as Amendment No. 1 is gazetted.

Budget / Financial Implications:

None for Council

Strategic Implications:

The proposal is to do with the following theme of the Strategic Community Plan:

Theme 1:

A healthy, strong and connected community that is actively engaged and involved;

Outcome 1.2 “Vibrant & attractive townsite”.

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 RECOMMENDATION

ITEM 10.2.1

That Council:

1. In accordance with Regulation 41(3)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* support the draft Amendment No. 1 with the proposed modifications to address issues raised in the submissions:
 2. Amend the Scheme by amending point 2 of the amendment which inserts Clause 2.3b) by inserting 'government, public authority or' before 'local government'
- And;
3. Further inform the Western Australian Planning Commission that as a result of the local government's consideration of the draft Amendment No. 1 under Regulation 50 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the following modification is required in addition to those raised in the submissions:
 4. Amend the Scheme by amending point 2.29 of the amendment which by modifying the inserted clause from '4.36' to '4.38'.
 5. Amend the Scheme by amending point 2.30 of the amendment which by modifying the inserted clause from '4.37' to '4.39'.

10.2.2 LOCAL PLANNING SCHEME NO. 6 – AMENDMENT NO. 2**File Ref:**

Applicant:	Internal
Location:	Shire of Ravensthorpe
Date:	30 April 2018
Author:	Richard Hindley
Authorising Officer:	Ian Fitzgerald
Attachments:	Attachment 10.2.2.a - Amendment No.2 Attachment 10.2.2.b – Submissions Attachment 10.2.2.c - Schedule of Submissions

Summary:

For Council to consider supporting Amendment No. 2 to Local Planning Scheme No. 6 without modification.

Background:

Notice of Final Approval of the Shire of Ravensthorpe Local Planning Scheme No. 6 ('the Scheme') was published in the Government Gazette on the 11 July 2017. A review of the Scheme has now been undertaken and a Scheme Amendment has been prepared to modify the Scheme.

This amendment seeks to correct a number of zoning anomalies in the Gazetted Scheme. These changes generally reflect the current reservation or where changes are well advanced to change a reservation.

The introduction of a new zone and the amendment to permitted land uses is also proposed so that they make reference to both the land as well as the objectives of the zone.

There are also a number of modifications that update the Scheme both from external changes as well as finalising some of the changes that were commenced in Amendment No. 1.

Site Description

Shire of Ravensthorpe

Zoning and Scheme Requirements

This item relates to a Scheme Amendment.

Comment:

This omnibus amendment details numerous modifications to the Scheme.

The modifications fall into the following categories:

19. Amending the Scheme Map based on reserve classifications that were omitted in the drafting of the Scheme Map;
20. Inserting the 'Rural Smallholdings zone' and associated provisions;
21. Reviewing land use permissibility's within Clause 3.2;
22. Removing the references to the 'General Industry' zone that were not removed by Amendment No. 1.
23. Updating references to water storage tanks throughout the Scheme to reference one clause;
24. Updating the names of government agencies; and
25. Updating numbering throughout the Scheme where required.

The proposed provisions are consistent with the Local Planning Strategy.

Proposal

It should be noted that the amendment document contains maps of all the map modifications outlined below.

Amend the Scheme Map by rezoning the portion of Reserve 31754 zoned 'Rural' to 'Environmental Conservation'.

This modification incorporates the extension of Reserve 31754 (Cheadanup Nature Reserve) as identified for expansion in the Parks and Wildlife Services 'Esperance and Recherche Parks and Reserves Management Plan 84'. The parcels of land identified are now included in Reserve 31754 and it is appropriate for the Scheme to reflect this.

Amend the Scheme Map by rezoning the portion of Reserve 31128 zoned 'Public Open Space' reserve to 'Environmental Conservation' reserve

This modification seeks to correct a mapping error. A portion of Reserve 31128 (Kundip Nature Reserve) is already reserved as 'Environmental Conservation' with the remainder of the reserve being reserved as 'Public Open Space'. All portions of the reserve have the assigned purpose of 'Conservation of Flora, Fauna and Waterways'. It is appropriate for the Scheme to reflect this.

Amend the Scheme Map by rezoning the portion of Reserve 16119 zoned 'Rural' to 'Public Open Space' reserve.

This modification seeks to correct a mapping error. Reserve 16119 is predominately zoned 'Rural' with a small area to the north of the reserve being reserved as 'Public Open Space'. The entire reserve is currently undeveloped and has no management order. The purpose of this reserve is 'Common'. It is considered inappropriate for this land to be zoned 'Rural' and

it is appropriate to reflect its status as a reserve by reserving it as 'Public Open Space' under the Scheme.

Amend the Scheme Map by rezoning Reserve 12200 to 'Public Purposes' reserve with a designation of Infrastructure Services

This modification seeks to correct a mapping error. Reserve 12200 has a purpose of 'Sanitary Site' and is an unmanaged reserve. Given the purpose of the reserve it is appropriate to show it as 'Public Purposes' reserve with a designation of Infrastructure Services.

Amend the Scheme Map by rezoning Reserve 11577 to 'Public Purposes' reserve with a designation of Infrastructure Services

This modification seeks to correct a mapping error. Reserve 11577 has a purpose of 'Water Supply' and is an unmanaged reserve. Given the purpose of the reserve it is appropriate to show it as 'Public Purposes' reserve with a designation of Infrastructure Services.

Amend the Scheme Map by rezoning Reserve 7379 to 'Public Purposes' reserve with a designation of Infrastructure Services.

This modification seeks to correct a mapping error. Reserve 7379 has a purpose of 'Water' and is the responsibility of Water Corporation. Given the purpose of the reserve it is appropriate to show it as 'Public Purposes' reserve with a designation of Infrastructure Services.

Amend the Scheme Map by rezoning Reserve 12141 to 'Public Purposes' reserve with a designation of Infrastructure Services

This modification seeks to correct a mapping error. Reserve 12141 has a purpose of 'Sanitary Site' and is an unmanaged reserve. Given the purpose of the reserve it is appropriate to show it as 'Public Purposes'

Amend the Scheme Map by rezoning Reserve 11145 to 'Public Open Space' reserve.

This modification seeks to correct a mapping error. Reserve 11145 has a purpose of 'Recreation' and is an unmanaged reserve. Given the purpose of the reserve it is appropriate to show it as 'Public Open Space'

Amend the Scheme Map by rezoning Reserve 21723 to 'Public Open Space' reserve

This modification seeks to correct a mapping error. Reserve 21723 has a purpose of 'Recreation' and is a unmanaged reserve. Given the purpose of the reserve it is appropriate to show it as 'Public Open Space'

Amend the Scheme Map by Reserve 27023 to 'Environmental Conservation' reserve

This modification seeks to correct a mapping error. Reserve 27023 has a purpose of 'National Park' as is the southern portion of the Frank Hahn National Park. Given the

inclusion of the reserve in the Frank Hahn National Park it is appropriate to show it as 'Environmental Conservation'

Amend the Scheme Map by rezoning a portion of Reserve 30633 to 'Public Purposes' reserve with a designation of Emergency Services

An application is currently being processed by the Department of Planning, Lands and Heritage to change the purpose of the Reserve to 'Emergency Services for St Johns Ambulance Service. Given the proposed purpose of the reserve it is appropriate to show it as 'Public Purposes'

Amend the Scheme Map by rezoning Reserve 36191 to 'Public Purposes' reserve with a designation of Government Services

This modification seeks to correct a mapping error. Reserve 36191 has a purpose of 'Quarry' and is managed by Main Roads. Given the purpose of the reserve it is appropriate to show it as 'Public Purposes'

Amend the Scheme Map by rezoning Reserve 17880 zoned to 'Environmental Conservation' reserve

This modification seeks to correct a mapping error. Reserve 17880 has a purpose of 'Waterway' and is managed by the Water Resources Ministerial Body. This reserve was also identified as proposed Nature Reserve in the Regional Management Plan 1992 -2002 South Coast Region. Given the purpose of the reserve and its Management Orders it is appropriate to show it as 'Environmental Conservation'.

Amend the Scheme Map by rezoning a portion of Floater Road to 'Local Road;

This modification seeks to correct a mapping error. A portion of the Floater Road as shown below is currently reserved for 'Public open Space'. It is proposed to show the dedicated road reserve as a 'Local Road' in the Scheme.

Amend the Scheme Map by Reserve 13271 to 'Environmental Conservation' reserve

This modification seeks to correct a mapping error. Reserve 13271 has a purpose of 'Gravel and Water Supply' and is managed by the Department of Water. This reserve is also adjacent to Reserve 27525 (Overshot Hill Nature Reserve). Given the purpose of the reserve and its Management Orders it is appropriate to show it as 'Environmental Conservation'.

Amend the Scheme Map by rezoning Reserve 38642 to 'Public Purposes' reserve with a designation of Government Services

This modification seeks to correct a mapping error. Reserve 38642 has a purpose of 'Gravel; and is managed by the Shire of Ravensthorpe. Given the purpose of the reserve it is appropriate to show it as 'Public Purposes'

Amend the Scheme Map by rezoning Lot 1 on Diagram 80567 on the corner of Mason Bay Road and Middle Road to 'Public Purposes' reserve with a designation of Infrastructure Services

This modification seeks to correct a mapping error. Lot 1 on Diagram 80567 on the corner of Mason Bay Road and Middle Road has been developed for telecommunications infrastructure. Given the purpose of the reserve it is appropriate to show it as 'Public Purposes'.

Amend the Scheme Map by Reserve 49742 to 'Environmental Conservation' reserve

This modification seeks to correct a mapping error. Reserve 49742 has a purpose of 'Conservation' and its Management Orders are with the Conservation Commission of Western Australia. Given the purpose and management of the reserve it is appropriate to show it as 'Environmental Conservation'.

Amend the Scheme Map by rezoning Lots 3000 and 3001 on Plan 48791 and a portion of 'Local Road' as 'Primary Distributor Road'

This modification seeks to correct a mapping error. Lots 3000 and 3001 on Plan 48791 and a portion of 'Local Road' form part of the reserve for South Coast Highway. The subject portions of land should be shown as 'Primary Distributor Road'.

Amend the Scheme Map by rezoning Lots 3004, 3005 and 3006 on Plan 48791 as 'Primary Distributor Road'

This modification seeks to correct a mapping error. Lots 3004, 3005 and 3006 on Plan 48791 on Plan 48791 and a portion of 'Local Road' form part of the reserve for South Coast Highway. The subject portions of land should be shown as 'Primary Distributor Road'.

Amend the Scheme Map by rezoning Lot 521 on Plan 403837 and portions of 'Local Road' as 'Primary Distributor Road'

This modification seeks to correct a mapping error. Lot 521 on Plan 403837 and portions of 'Local Road' form part of the reserve for South Coast Highway. The subject portions of land should be shown as 'Primary Distributor Road'.

Amend the Scheme Map by rezoning the portion of 'Local Road' on the corner of Maydon Road and South Coast Highway as 'Primary Distributor Road'

This modification seeks to correct a mapping error. A portion of 'Local Road' reserve on the corner of Maydon Road and South Coast Highway forms part of the reserve for South Coast Highway. The subject portions of land should be shown as 'Primary Distributor Road'.

Amend the Scheme Map by rezoning Reserve 27127 to 'Public Open Space Reserve'

This modification seeks to correct a mapping error. Reserve 27127 is currently zoned 'Rural' with additional use 'A2'. The reserve has a purpose of 'Showground and Recreation' and is managed by the Shire of Ravensthorpe. Given the purpose of the Reserve it is appropriate to apply the 'Public Open Space' reserve.

Amend the Scheme by deleting in Clause 3.4.1 the reference to Additional Use No. 2 and the Scheme Map accordingly

This modification seeks to rezone Reserve 27127 to 'Public Open Space' the additional use requires deletion as additional uses should not apply to reserves in the manner of Clause 3.4.1. It is recommended that Additional Use No. 2 should be deleted from the Scheme.

Amend the Scheme by inserting a replacing the text under Clause 2.3 to introduce an Additional Use to a reserve

Clause 2.3 of the Scheme allows additional uses to be applied to reserves. In this instance the additional use that has been deleted from Reserve 27127 can now be inserted to this Clause with modification to reflect that the land is a reserve.

Amend the Scheme Map by applying 'AR1' to Reserve 27127

By inserting 'AR1' into Clause 2.3 the additional use for land in a local reserve can now be shown on the Scheme Map. It is recommended that 'AR1' be included on the Scheme Map.

Amend the Scheme Map by rezoning Lots 109, 110 and 111 on Plan 39880 and a portion of 'Local Road' as 'Primary Distributor Road'

This modification seeks to correct a mapping error. Lots 109, 110 and 111 on Plan 39880 and a portion of 'Local Road' form part of the reserve for the Hopetoun – Ravensthorpe Road. The subject portions of land should be shown as 'Primary Distributor Road'.

Amend the Scheme Map by rezoning Lots 1518 and 1519 on Plan 29986 as 'Primary Distributor Road'

This modification seeks to correct a mapping error. Lots 1518 and 1519 on Plan 29986 form the turning lane between Newdegate-Ravensthorpe Road and South Coast Highway. These portions of land are currently zone 'Rural' in the Scheme. The subject portions of land should be shown as 'Primary Distributor Road'.

Amend the Scheme Map by rezoning Lots 351 and 352 on Plan 401419 as 'Primary Distributor Road'

This modification seeks to correct a mapping error. Lots 351 and 352 on Plan 401419 form part of the reserve for South Coast Highway. The subject portions of land should be shown as 'Primary Distributor Road'.

Amend the Scheme Map by rezoning Lot 1508 on Plan 191425 as 'Local Road'

This modification seeks to correct a mapping error. Lot 1508 on Plan 191425 is currently zone 'rural' under the Scheme and form part of Moir Road. The subject portions of land should be shown as 'Local Road'.

Amend the Scheme by inserting objectives for the Rural Smallholdings zone

It is proposed to introduce objectives for the 'Rural Smallholdings' zone within the Scheme. This modification is required as land above 4ha in area that is zoned 'Rural Residential' is more properly identified as 'Rural Smallholdings'.

Amend the Scheme Map by rezoning Lots 1, 2, 3, 4, 8, 15, 16, 17, 18, 19, 20 and 21 Blue Vista as 'Rural Smallholdings'

Lots 1, 2, 3, 4, 8, 15, 16, 17, 18, 19, 20 and 21 Blue Vista are currently zoned 'Rural Residential' and range in lot size from 5.8 ha to 15.5 ha. The lot sizes of these lots is over that provided for in the 'Rural Residential' zone. It is recommended that the subject lots be rezoned to 'Rural Smallholdings'.

Amend the Scheme Map by rezoning Lots 1, 2, 3, 8, 9, 10, 15, 16 and 17 Dotterel Drive, Lots 4, 5, 6 and 7 Carnaby Close and Lots 11, 12, 13 and 14 Pardalote Parade as 'Rural Smallholdings'

Lots 1, 2, 3, 8, 9, 10, 15, 16 and 17 Dotterel Drive, Lots 4, 5, 6 and 7 Carnaby Close and Lots 11, 12, 13 and 14 Pardalote Parade are currently zoned 'Rural Residential' and range in lot size from 15.7 ha to 84.6 ha with the larger lots having extensive undevelopable areas. It is recommended that the subject lots be rezoned to 'Rural Smallholdings'.

Amend the Scheme by inserting a new row in Schedule 2 under the row titled 'Rural Residential' with the Title of 'Rural Smallholdings'

With the introduction of a new zone in 'Rural Smallholdings' Schedule 2 – Additional Site and Development Requirements needs to be updated. It is proposed to insert new standards that reflect the large lot sizes that occur in this zone.

Amend the Scheme by inserting 'Rural Smallholdings' as a land use in Clause 3.2 Zoning Table and the associated permissibility's

With the introduction of a new zone in 'Rural Smallholdings' land use permissibility's need to be inserted into the Zoning Table contained in Clause 3.2. The proposed range of land uses and permissibility's are taken from the 'Rural Residential' zone and take into account the larger lot size that are occur in the 'Rural Smallholdings' zone.

Amend the Scheme by amending the permissibility's for 'Rural Residential' in Clause 3.2 Zoning Table

With the introduction of the 'Rural Smallholdings' zone into Clause 3.2 it is appropriate to review the land use permissibility's in the 'Rural Residential' zone. The proposed range of land uses and permissibility's take into account the smaller lot size that are occur in the 'Rural Residential' zone.

Amending the Scheme by amending the permissibility's for 'Rural' in Clause 3.2 Zoning Table

The land use permissibility's in the 'Rural' zone have also been reviewed. The proposed uses are in addition to those already available in the Scheme and provide for a wider range of development to occur within the 'Rural' zone.

Amend the Scheme by amending the permissibility's for 'Light Industry' in Clause 3.2 Zoning Table

The land use permissibility's in the 'Light Industry' zone have been reviewed. The proposed uses are slight broadening of the permitted uses in this zone. It should also be noted that the 'Restaurant/café' use is inserted to preserve the intent of Clause 4.13.7 which limits the 'Restaurant/café' use to the inside of the Heavy Haulage Route in the Ravensthorpe locality.

Amend the Scheme by amending the permissibility's for 'Tourism' in Clause 3.2 Zoning Table

The land use permissibility's in the 'Tourism' zone have also been reviewed. The proposed changes remove uses that are incompatible with the zone objectives whilst introducing a 'Shop' where it is incidental to the predominant use of the site.

Amend the Scheme by amending the permissibility's for 'Mixed Use' in Clause 3.2 Zoning Table

The land use permissibility's in the 'Tourism' zone have also been reviewed. The proposed changes remove uses that are incompatible with the zone objectives whilst introducing uses such as 'Shop' that are compatible and appropriate for the zone.

Amend the Scheme by amending the permissibility's for 'Rural Townsite' in the Table under Clause 3.2 in Clause 3.2 Zoning Table

The land use permissibility's in the 'Rural Townsite' zone have also been reviewed. The proposed changes to the permissible land uses are based on the zones objectives, location, lot size and potential impact on amenity.

Amend the Scheme by amending the permissibility's for 'Residential' in Clause 3.2 Zoning Table

The land use permissibility's in the 'Residential' zone have also been reviewed. The proposed removal of permissibility's of uses as outlined is based on preservation of amenity and appropriateness in terms of the zones objectives.

Amend the Scheme by deleting all references to the 'General Industry' zone in Clause 4.13.

With the removal of the 'General Industry' zone in Amendment No. 1 Clause 4.13 needs to be amended so that it only refers to the 'Light Industry' zone.

Amend the Scheme by inserting Rural Smallholdings zone provisions after Clause 4.15

With the addition of a new zone in the 'Rural Smallholdings' zone development controls need to be introduced.

The proposed provisions are based on the 'Rural Residential' provisions in Clause 4.15 with a number of modifications to reflect the larger size of these lots when compared to those that are in the 'Rural Residential' zone.

Amend the Scheme by replacing 'Department of Agriculture and Food'; in Clause 4.15.6 a) with 'Department of Primary Industries and Regional Development - Agriculture and Food'.

This change is required due to the change in name of the 'Department of Agriculture and Food'; to 'Department of Primary Industries and Regional Development - Agriculture and Food'.

Amend the Scheme by replacing Clause 4.15.8 a) with new removal of vegetation provisions

The revised clause extends the range of permitted clearing by adding clearing in association with the construction of an approved building, where it is exotic or a declared weed and where it is subject to an approved clearing permit.

Amend the Scheme by replacing 'Department of Parks and Wildlife' in Clause 4.15.8 b) with 'Department of Biodiversity, Conservation and Attractions - Parks and Wildlife Service'.

This change is required due to the change in name of the 'Department of Parks and Wildlife' with 'Department of Biodiversity, Conservation and Attractions - Parks and Wildlife Service'

Amend the Scheme by replacing Clause 4.15.9 a) with a reference to the potable water standard.

With the change to the potable water standard proposed by Amendment No. 1 this clause is required to be modified to reference the new clause.

Amend the Scheme by replacing '92,000L' in Schedule 1, SU3 (c) with 'in accordance with Clause 4.30'.

Clause 4.30 (Clause 4.29 in the gazetted Scheme renumbered by this amendment) provides water storage requirements for dwellings without a mains water supply. This modification directs the potable water standard to the main provision of the Scheme.

Amend the Scheme by replacing 'a minimum of a 92 000 litre water storage tank' in Schedule 1, SU7 8. with a reference to the potable water standard.

Clause 4.30 (Clause 4.29 in the gazetted Scheme renumbered by this amendment) provides water storage requirements for dwellings without a mains water supply. This modification directs the potable water standard to the main provision of the Scheme.

Amend the Scheme by replacing 'or a minimum of 92,000 litre storage tank' in Schedule 3, RR4 3. a) with a reference to the potable water standard.

Clause 4.30 (Clause 4.29 in the gazetted Scheme renumbered by this amendment) provides water storage requirements for dwellings without a mains water supply. This modification directs the potable water standard to the main provision of the Scheme.

Amend the Scheme by replacing 'a minimum of 92,000 litre storage tank' in Schedule 3, RR5 6. c) with a reference to the potable water standard.

Clause 4.30 (Clause 4.29 in the gazetted Scheme renumbered by this amendment) provides water storage requirements for dwellings without a mains water supply. This modification directs the potable water standard to the main provision of the Scheme.

Amend the Scheme by replacing all references throughout the Scheme to the 'Department of Environmental Regulation' with 'Department of Water and Environmental Regulation'.

This change is required due to the change in name of the 'Department of Environmental Regulation' to 'Department of Water and Environmental Regulation'.

Amend the Scheme by replacing all references throughout the Scheme to the 'Department of Water' with 'Department of Water and Environmental Regulation'.

This change is required due to the change in name of the 'Department of Water' to 'Department of Water and Environmental Regulation'.

Amend the Scheme by replacing 'Department of Planning and Department of Lands' in Clause 4.24.3 with 'Department of Planning, Lands and Heritage'.

This change is required due to the change in names of the 'Department of Planning and Department of Lands' to 'Department of Planning, Lands and Heritage'.

Amend the Scheme by updating all numbering so that the Scheme is internally consistent.

This is a generic amendment so that should any numbering requiring amendment due to earlier clauses can be corrected by this amendment

A full copy of the amendment documentation is attached.

Consultation:

Upon receiving consent to advertise from the Western Australian Planning Commission, LPS 24 Amendment No. 2 was advertised for public comment in accordance with the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The advertising was commenced on 22 February 2018 and closed on 27 April 2018 being a period of 64 days. Advertising consisted of:

- Advertising notice in the Community Spirit – 22 February 2018;
- Notice placed on the Shire of Ravensthorpe Facebook Page;
- Amendment documentation being available via the Shire of Ravensthorpe's website;
- Copies of the Amendment being placed in the Ravensthorpe and Hopetoun Shire Offices; and
- Referral letters to government departments and servicing agencies.

At the close of the advertising period a total of six (6) submissions (Attachment B) were received, all of which were from Government Departments and Servicing Agencies. All of the submissions from servicing and government agencies gave no comment or objection to the proposed amendment.

Statutory Obligations:

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Local Planning Scheme No. 6

Policy Implications:

None

Budget / Financial Implications:

None for Council

Strategic Implications:

The proposal is to do with the following theme of the Strategic Community Plan:

Theme 1:

A healthy, strong and connected community that is actively engaged and involved;

Outcome 1.2 “Vibrant & attractive townsite”.

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.

Risk:

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Requirements	Rare (1)	Moderate (3)	Minor (2)	Failure to meet Statutory Requirements	Accept Officer Recommendation

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION

ITEM 10.2.2

That Council:

In accordance with Regulation 41(3)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015* support the draft Amendment No. **2** without modification.

10.2.3 LOTS 30, 31, 36 AND 7 OLD NEWDEGATE ROAD AND LOT 177 FLOATER ROAD, RAVENSTHORPE**File Ref:**

Applicant: Matt Hogben (Albany Surveying and Mapping) on behalf of Galaxy Resources Ltd

Location: Lots 30, 31, 36 and 7 Old Newdegate Road and Lot 177 Floater Road, Ravensthorpe

Date: 4 May 2018

Author: Richard Hindley

Authorising Officer: Ian Fitzgerald

Attachments: 10.2.3 - Plan showing proposed road

Summary:

Council have received an application for the development of a road to facilitate the Galaxy Resources Mt Cattlin expansion project. This proposal exceeds the maximum value of development that can be considered under delegation and is therefore being referred to Council for a decision.

Background:***Site Description***

The proposed alignment of the road extends through Lots 30, 31, 36 and 7 Old Newdegate Road and Lot 177 Floater Road as shown in Attachment A.

Zoning and Scheme Requirements

Lots 30, 31, 36 and 7 Old Newdegate Road and Lot 177 Floater Road are zoned 'Rural' under Local Planning Scheme No. 6. It should be noted that when the future road dedication occurs and amendment to the Scheme will be made to reflect the new alignment.

Comment:

The proposed development (road) has been requested to facilitate the Galaxy Resources Mt Cattlin expansion project. This project will involve eastward expansion of the existing Mt Cattlin site that requires a section of Floater Road, between Old Newdegate Road and the South Coast Highway bypass, to be closed. The proposed development will ameliorate the impact of the Floater Road closure on users of Floater Road to the north of the Old Newdegate Road.

Consultation:

No consultation was undertaken in relation to this item, it should however be noted that the proposed dedication of the road the subject of the development application and the closure of portions of Old Newdegate Road and Floater Road will require advertising in accordance with the *Land Administration Act 1997* and will be presented to Council in due course (The closure of a portion of Floater Road is a separate item at this meeting).

Statutory Obligations:

Local Planning Scheme No. 6

The applicant has a right of review to the State Administrative Tribunal if aggrieved by any planning decision.

It should also be noted that pursuant to Section 211(1) of the *Planning and Development Act 2005*, a person aggrieved by the failure of a local government to enforce or implement effectively the observance of a local planning scheme may make representation to the Minister. If the Minister considers it appropriate to do so, representation may be referred to the State Administrative Tribunal for its report and recommendation. Following subsequent actions and recommendation by the SAT the Minister may order the local government to do all things considered necessary for enforcing the observance of the Scheme or any provisions of the Scheme.

Policy Implications:

None

Budget / Financial Implications:

None for Council

Strategic Implications:

The proposal is to do with the following theme of the Strategic Community Plan:

Theme 1:

A healthy, strong and connected community that is actively engaged and involved;

Outcome 1.2 "Vibrant & attractive townsite".

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.

Risk:

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Requirements	Rare (1)	Moderate (3)	Minor (2)	Failure to meet Statutory Requirements	Accept Officer Recommendation

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION	ITEM 10.2.3
That Council	
<p>1. Resolve to approve Development Application P18-012 for a Road on Lots 30 on Plan 224145, 31 on Plan 224145, 36 on Plan 80856 and 7 on Plan 150030 Old Newdegate Road and Lot 177 on Plan 141641 Floater Road, Ravensthorpe subject to the following conditions:</p> <ul style="list-style-type: none"> a) Development shall be carried out and fully implemented in accordance with the details indicated on the stamped approved plan(s) unless otherwise required or agreed in writing by the Shire of Ravensthorpe. b) Engineering drawings and specifications are to be submitted, approved, and works undertaken in accordance with the approved plan, engineering drawings and specifications and, are constructed and drained at Galaxy Resources Ltd's cost. c) Agreement being reached between the Shire of Ravensthorpe and Galaxy Resources to allow public access to the proposed road prior the its dedication under Section 56 of the <i>Land Administration Act 1997</i>. 	

NOTE: As new information has come to hand the Author and Authorising Officer recommend this item be withdrawn from the agenda of this meeting.

10.2.4 STATUTORY PROCESS – PART CLOSURE – PORTION OF FLOATER ROAD

File Ref:

Applicant: Matt Hogben (Albany Surveying and Mapping) on behalf of Galaxy Resources Ltd

Location: Floater Road, Ravensthorpe

Date: 4 May 2018

Author: Richard Hindley

Authorising Officer: Ian Fitzgerald

Attachments: Attachment 10.2.4 - Plan showing proposed road closure

Summary:

The Shire has received an application to close a portion of Floater Road to facilitate the Galaxy Resources Mt Cattlin expansion project.

Background:

Site Description

Portion of Floater Road, Ravensthorpe.



Zoning and Scheme Requirements

None at this stage, once the road has been closed the Scheme can be amended to reflect its new status.

Comment:

The proposed road closure has been requested to facilitate the Galaxy Resources Mt Cattlin expansion project. This project will involve eastward expansion of the existing Mt Cattlin site that requires a section of Floater Road, between Old Newdegate Road and the South Coast Highway bypass, to be closed.

It should be noted that this agenda item is the first step in a statutory process that Council must follow on receipt of the application. As it is a statutory process the administration could have commenced the process without reference to Council but given the sensitivity of the proposal it has been referred to Council.

There will be community consultation as well as with government agencies with all comments or submissions presented to Council before any formal decisions are made on the application received.

Consultation:

The road closure process operates under Section 58 of the Land Administration Act 1997, which requires a minimum 35 day public comment/referral period to all affected landowners and government agencies are to be consulted. A notice is also required to be published in a newspaper circulating in the district.

Statutory Obligations:

Local Government Act 1995

Land Administration Act 1997

Policy Implications:

None

Budget / Financial Implications:

None for Council

Strategic Implications:

The proposal is to do with the following theme of the Strategic Community Plan:

Theme 1:

A healthy, strong and connected community that is actively engaged and involved;

Outcome 1.2 "Vibrant & attractive townsite".

Risk:

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Requirements	Rare (1)	Moderate (3)	Minor (2)	Failure to meet Statutory Requirements	Accept Officer Recommendation

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations.
- **Economic:**
The proposed road closure will facilitate the Galaxy Resources Mt Cattlin expansion project.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION	ITEM 10.2.4
<p>That Council:</p> <ol style="list-style-type: none"> 1. Commence the road closure process for a portion of Floater Road, Ravensthorpe in accordance with Section 58 of the <i>Land Administration Act 1997</i>. 2. That as part of the statutory advertising required under Section 58 of the <i>Land Administration Act 1997</i> a public information document outlining the road closure process is prepared and included in the formal referral to affected landowners. 	

NOTICE OF MOTION – Cr Goldfinch

The Council has received an application for the closure of Floater Rd. Ravensthorpe in accordance with section 58 of the Land Administration Act 1997.

The SoR will start the formal proceedings of the Act. I.E advertising, public submissions, and consultation

10.3 MANAGER OF ENGINEERING SERVICES

Nil

10.4 CHIEF EXECUTIVE OFFICER**10.4.1 APPLICATION FOR EXEMPTION TO KEEP MORE THAN THE PRESCRIBED NUMBER OF DOGS****File Ref:****Applicant:**

Jullieanne Laurie

Location:

Unit 2/51 Dunn Street, Ravensthorpe

Disclosure of Officer Interest:

None

Date:

4 May 2018

Author:

Stacey Jaskiewicz – Ranger Services

Authorising Officer:

Ian Fitzgerald – Chief Executive Officer

Attachments:

10.4.1.a - Application for Exemption

10.4.1.b - Neighbour Submission Form

Summary:

An application has been received from Jullieanne Laurie requesting permission to keep three dogs at her property at Unit 2/51 Dunn Street, Ravensthorpe. She currently owns two small breed dogs, a fox terrier aged nine and a west highland terrier aged twelve, which are micro-chipped and registered. The third dog which she owns is a Border collie x, five years old which is also registered, and in the process of being microchipped.

Background:

It is a requirement of the Ravensthorpe Shire Council's Dogs Local Law (2011) that the maximum number of dogs that can be kept on a premise within a town site is two unless an exemption is granted by Council under the provisions of section 26(3) of the Dog Act 1976 (as Amended).

Comment:

It is recommended that Council agree to the granting of an exemption for the keeping of three dogs at Unit 2/51 Dunn Street, Ravensthorpe subject to the following conditions:

- That the exemption be reviewed in twelve months to ensure that no adverse problems have been experienced as a result of the exemption, and

- That Council reserve the right to withdraw the exemption at any time if any major or substantial problems are experienced prior to the review period.
- That the exemption applies only to the dogs nominated by the applicant.
- Each dog on the property must be registered with the Shire of Ravensthorpe.
- Upon the death or permanent removal of any of the nominated dogs a maximum of two dogs only will be permitted to be kept on this property.

Site Inspection Undertaken:

Yes

Site Inspection: The Shire Ranger inspected the property and has advised that there are no reasons to withhold the granting of an exemption to keep three dogs at the property. The property is adequately fenced to contain the dogs.

Consultation:

A Neighbour Submission form was provided to Unit 3/51 Dunn Street, Ravensthorpe and 49 Dunn Street Ravensthorpe. The adjoining neighbours were given 14 days to respond. The Shire Ranger has liaised with one adjoining neighbour, Terry Yorkshire and feedback returned stated that he has no obligations to Jullieanne Laurie keeping three dogs. Attempts were made to speak with the occupier of 49 Dunn Street, Ravensthorpe, the occupier of the premises was not present at the time of visit, and therefore a neighbour submission form was left on the door. There was no feedback submitted from 49 Dunn Street, Ravensthorpe in the time frame provided. The Shire Ranger has considered that there are no valid reasons for withholding such approval.

Statutory Obligations:

Dog Act 1976 (As Amended)

Ravensthorpe Shire Council Dogs Local Law (2011)

Policy Implications:

N/A

Budget / Financial Implications:

N/A

Strategic Implications:

N/A

Sustainability Implications:

- **Environmental:**

There are no known significant environmental considerations.

- **Economic:**

There are no known significant economic considerations.

- **Social:**

Keeping of dogs in a town site may impact on the social cohesion of a community if the dogs create a nuisance.

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION**ITEM 10.4.1**

That Council: approve an exemption for the keeping of three dogs at Unit 2/51 Dunn Street Ravensthorpe subject to the following conditions:

- a) That the exemption be reviewed in twelve months time to ensure that no adverse problems have been experienced as a result of the exemption,
- and;
- b) That Council reserve the right to withdraw the exemption at any time if any major or substantial problems are experienced prior to the review period.

The exemption applies only to the dogs nominated by the applicant.

Each dog must be registered with the Shire of Ravensthorpe.

Upon the death or permanent removal of any of the nominated dogs a maximum of two dogs only will be permitted to be kept on this property.

10.4.2 REVIEW OF FEES AND CHARGES FOR 2018/2019**File Ref:****Applicant:**

Internal

Location:

Not applicable

Disclosure of Officer Interest:

None

Date:

8 May, 2018

Author:

Darren Kennedy

Manager Corporate and Community Services

Authorising Officer:

Ian Fitzgerald – Chief Executive Officer

Attachments:

10.4.2 - Draft Fees & Charges 2018/19

Summary:

To present the draft Schedule of Fees and Charges for 2018/19 for consideration and inclusion within the 2018/19 draft budget.

Background:

Similar to previous years a draft copy of the Fees and Charges is presented to Council prior to budget adoption for review and consideration.

Fees and Charges that are new or will vary from the 2017/18 budget have been highlighted in yellow for ease of reference.

Comment:

Fees and Charges are an important own source of revenue for the Shire and currently account for approximately 6% of operating revenue.

When reviewing the equitability and appropriateness of fees and charges, reference to appropriate Pricing Principles relevant to Local Government is prudent and recommended to Council.

These are provided in the table below.

Pricing Principles	Pricing Basis
1. Public Benefit – service provides a broad community benefit and therefore full cost recovery should not apply. Partial cost recovery could apply in some circumstances	Zero to partial cost recovery
2. Private Benefit – service benefits particular users making a contribution to their individual income, welfare or profits generally without any broader benefits to the community.	Full Cost Recovery
3. Shared Benefit – service provides both community benefits and a private benefit	Partial cost recovery
4. Regulatory – fee or charge fixed by legislation	Regulatory

Consultation:

Chief Executive Officer
 Manager of Engineering Services
 Health & Building Contractor
 Planning Contractor
 Various Local Governments & Child Care Centres

Statutory Obligations:

Section 6.16 of the *Local Government Act (1995)* provides authority for local governments to impose fees and charges when adopting the annual budget.

Fees and charges may be adopted outside of the annual budget but these require prior public advertising before implementation.

Policy Implications:

Nil

Budget / Financial Implications:

Fees & Charges account for approximately 6% of operating revenue. Opportunities to increase will positively impact Own Source Revenue Coverage ratio which is an indicator of financial sustainability.

Strategic Implications:

Strategic Community Plan 2014 – 2024

Theme 4 – Civic Leadership: 4.2 High quality corporate governance, accountability & compliance.

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 RECOMMENDATION

ITEM 10.4.2

That Council:

Endorse the attached Schedule of Fees and Charges to be included within the 2018/19 budget.

10.4.3 ASSET MANAGEMENT POLICY – F16**File Ref:**

Applicant:	Not Applicable
Location:	Not Applicable
Disclosure of Officer Interest:	Nil
Date:	8 th May 2018
Author:	Ian Fitzgerald – Chief Executive Officer
Authorising Officer:	Not Applicable
Attachments:	10.4.3 - Draft Asset Management Policy

Summary:

The purpose of this item is to present to Council a proposed Asset Management Policy for consideration and adoption.

Background:

Staff have been working with members of the Goldfields Voluntary Regional Organisation of Councils (GVROC) and a consultant to develop asset management plans based on a common platform. As a part of this process the need for an asset management policy has been identified.

Comment:

GVROC was successful in obtaining a grant to assist members develop asset management plans and train staff in the use of the platform chosen. The NAMS platform was selected as it provides a good style of asset management plan that can be developed in-house by staff with minimal external assistance. This framework has been developed by the Institute of Public Engineers, is particularly suited to smaller local governments including Ravensthorpe, and is supported by a range of technical expertise.

The draft Asset Management Plan (AMP) is presented as a separate item to Council at this meeting for their consideration. To support the AMP an asset management policy has also been developed – using a model policy from the NAMS platform.

The draft policy as presented will help ensure processes and procedures are in place to help maintain our assets with a replacement cost of over \$178 million including budgeting for repairs, upgrades and/or replacement. The third step in the process will be the development of an asset management strategy aimed at assisting Council in improving the way it delivers services with the infrastructure assets it owns, both now and into the future.

These documents will help inform the development of a new Long Term Financial Plan and Corporate Business Plan. All these documents form part of the integrated planning framework or local governments to work within.

Consultation:

GVROC member councils
 NAMS specialist consultant

Statutory Obligations

The Integrated Planning Framework requires local governments to develop and maintain asset management plans and a dedicated policy will assist in this process.

Policy Implications:

New Asset Management presented for Council’s consideration and adoption.

Budget / Financial Implications

The asset management policy will help guide the process of maintaining the shire’s asset base and appropriate budget provision each year.

Strategic Implications:

Theme 3 – Adequate services and infrastructure to cater for the community

3.1.2 Transport networks. Level of implementation of Asset Management Plans

Theme 4 - Civic Leadership

Corporate Governance and Accountability

4.2.1 High quality corporate governance, accountability and compliance.

Risk:

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance and/or Maintaining assets	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation

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 RECOMMENDATION

ITEM 10.4.3

That Council adopts the Asset Management Policy – F16 as presented.

10.4.4 ASSET MANAGEMENT PLAN**File Ref:**

Applicant:	Not Applicable
Location:	Not Applicable
Disclosure of Officer Interest:	Nil
Date:	9 th May 2018
Author:	Ian Fitzgerald – Chief Executive Officer
Authorising Officer:	Not Applicable
Attachments:	10.4.4 Draft Asset Management Plan

Summary:

The purpose of this item is to present to Council a proposed Asset Management Plan (AMP) for consideration and adoption.

Background:

Staff have been working with members of the Goldfields Voluntary Regional Organisation of Councils (GVROC) and a consultant to develop asset management plans based on a common platform. The current AMP was prepared by an external consultant as a part of the initial integrated planning framework and has not been updated since adopted by Council.. The supporting documentation used in developing the plan was never given to Council which is disappointing.

Comment:

As reported under the Asset Management Policy item GVROC was successful in obtaining a grant to assist members develop asset management plans and train staff in the use of the platform chosen. The NAMS platform was selected as it provides a good style of asset management plan that can be developed in-house by staff with minimal external assistance. This framework has been developed by the Institute of Public Engineers, is particularly suited to smaller local governments including Ravensthorpe, and is supported by a range of technical expertise.

The draft Asset Management Plan (AMP) presented to has been prepared using the NAMS platform by staff and an external consultant. The size of our asset base has allowed one overall plan to be developed rather than a plan for each class of asset thus giving a more integrated planning approach.

The plan is based on current asset values and can be readily updated as improvements are made to our asset register. This will include adjustments following the completion of repairs

to the road network post the February 2017 floods and as staff work to improve depreciation and valuation schedules over time.

Improvements in financial budgeting and reporting to better reflect maintenance, improvements/upgrades and replacement will also help better inform the data that is used to develop and update the AMP. There will be reviews of useful life of assets and importantly levels of service which all impact the required management of our assets. With a declining population it is important to regularly review our levels of service to ensure whilst the community is well catered for there is not excess expenditure on a service provided just simply because that is what has happened in the past. With available funding reducing and community expectations growing this will help ensure value for money is obtained wherever possible. Any change in service provision, especially a reduction, may meet with community dissatisfaction but Council's role is ensure the long term provision and financial viability of any service for the benefit of the wider community.

The advantage of using the NAMS platform is the majority of the updates can be completed in-house adding to the staff "ownership" of the AMP and reducing cost of using external consultants.

The AMP will help inform the development of a new Long Term Financial Plan and Corporate Business Plan which in turn assist Council and staff in framing the annual budget. There will be regular reviews of the AMP, not necessarily restricted to the legislated 4 year review requirement.

Consultation:

GVROC member councils
NAMS specialist consultant
Shire staff

Statutory Obligations

The Integrated Planning Framework requires local governments to develop and maintain asset management plans.

Policy Implications:

New Asset Management presented for Council's consideration and adoption.

Budget / Financial Implications

The asset management policy will help guide the process of maintaining the shire's asset base and appropriate budget provision each year.

Strategic Implications:

Theme 3 – Adequate services and infrastructure to cater for the community

3.1.2 Transport networks. Level of implementation of Asset Management Plans

Theme 4 - Civic Leadership - Corporate Governance and Accountability

4.2.1 High quality corporate governance, accountability and compliance.

Risk:

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance and/or Maintaining assets	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation

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 RECOMMENDATION	ITEM 10.4.4
That Council adopts the Asset Management Plan as presented.	

11. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12. BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

12.1 ELECTED MEMBERS

12.2 OFFICERS

13. MATTERS BEHIND CLOSED DOORS

14. CLOSURE OF MEETING