



## **MINUTES**

for the Council Meeting held on

Thursday 19<sup>th</sup> August, 2010

Commencing at 5.07 p.m.

in the Council Chambers, Ravensthorpe

**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE RAVENSTHORPE COUNCIL CHAMBERS**  
**ON 19<sup>th</sup> AUGUST, 2010 COMMENCING AT 5.07PM**

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1. **DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**
2. **ATTENDANCE / APOLOGIES/ APPROVED LEAVE OF ABSENCE**

MEMBERS: Cr Ian Goldfinch (Shire President)  
Cr Don Lansdown  
Cr Jan Field  
Cr Julianne Townsend  
Cr Damien Van De Velde

STAFF: Pascoe Durtanovich (Chief Executive Officer)  
Kobus Nieuwoudt (Manager Planning & Development)  
Patrick Steinbacher (Consulting Engineer)  
Evelyn Arnold (Manager Finance & Administration)

APOLOGIES: Cr Keith Dunlop (Deputy Shire President)  
Cr Brenda Tilbrook

ON LEAVE OF ABSENCE:  
Nil

ABSENT:  
Nil

VISITORS:  
Nil

3. **RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**  
Nil

4. **PUBLIC QUESTION TIME**

- 4.1 **Mrs Karen Campbell – Re: Council Meeting Agenda**

*Inquired as to why the Council meeting agenda was not in the Shire website.*

*CEO explained that Council relies on the website service provider to put the agenda on the Council site, this is normally done on the Friday before the meeting.*

- 4.2 **Mrs Karen Campbell – Re: Councillor Co-operation**

*Urged Councillors to work united for the benefits of the Community and Councillors.*

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

- 5.1 **Cr Van De Velde - Resignation**

*Councillor Van De Velde submitted his resignation to the Chief Executive Officer, effective from the 30<sup>th</sup> September, 2010. Cr Van De Velde explained that he is resigning to return to the eastern states.*

**5.2 DELCLARATION OF INTEREST**

Cr Goldfinch	10.2.2	Financial
Cr Lansdown	10.4.8	Impartiality
Cr Goldfinch	10.4.9	Financial
Cr Van De Velde	10.4.10	Impartiality
Cr Townsend	10.4.10	Impartiality

**6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS**

Nil

**7. CONFIRMATION OF MINUTES****7.1 COUNCIL MEETING – 19<sup>th</sup> August, 2010**

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 7.1
MOVED: CR LANSDOWN	SECONDED: CR FIELD
That the minutes of the meeting of Council held on the 19 <sup>th</sup> August, 2010 be confirmed as a true and correct record or proceedings.	
CARRIED 5/0	RES: 469/10

**8. SUSPENSION OF STANDING ORDERS**

Nil

**9. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSIONS**

Nil

**10. REPORTS OF OFFICERS****10.1 Manager - Finance and Administration****10.1.1 FINANCIAL STATEMENTS FOR THE PERIOD ENDING 30<sup>th</sup> July 2010****File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 9<sup>th</sup> August, 2010**Author:** Evelyn Arnold – Manager Finance & Administration**Authorising Officer:** Not applicable**Attachments:** Yes – Financial Statements**Summary:**

The attached financial statements provide details of the Council's financial activities for the period ending 31<sup>st</sup> July 2010.

**Background:**

Nil

**Comment:**

Nil

**Consultation:**

Not Applicable

**Statutory Obligations:**

Section 6.10 of the Local Government Act 1995 (as amended) makes provision for Regulations to be established for the general financial management of the local government.

Regulation 35 of the Local Government (Financial Management) Regulations 1996 requires monthly financial reports to be prepared in a prescribed manner.

**Policy Implications:**

There are no policy implications.

**Budget / Financial Implications:**

Details as per attached reports.

**Strategic Implications:**

Nil

**Sustainability Implications:**

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

**Voting Requirements:**

Simple majority.

COUNCIL DECISION AND OFFICER RECOMMENDATION      ITEM 10.1.1

MOVED: CR VAN DE VELD

SECONDED: CR TOWNSEND

That pursuant to section 6.10 of the Local Government Act 1995 (as amended) and Regulation 35 of the Local Government (Financial Management) Regulations 1996, the Financial Reports for the periods ended 31<sup>st</sup> July 2010 be accepted.

CARRIES 5/0

RES: 470/10

**10.1.2 ACCOUNTS FOR PAYMENT – MONTH ENDING 31<sup>st</sup> July 2010****File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 9<sup>th</sup> August 2010**Author:** Evelyn Arnold – Manager Finance & Administration**Authorising Officer:** Not applicable**Attachments:** Yes – List of Accounts

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**Summary:**

The lists of accounts paid during the months ending 31<sup>st</sup> July 2010 are attached for Council's information.

**Background:**

Nil

**Comment:**

Nil

**Consultation:**

Not applicable

**Statutory Obligations:**

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

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

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

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

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

**Policy Implications:**

There are no policy implications.

**Budget / Financial Implications:**

Details as per report attached.

**Strategic Implications:**

Nil.

**Sustainability Implications:**

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

**Voting Requirements:**

Simple majority.

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.1.2
MOVED: CR VAN DE VELDE	SECONDED: CR FIELD
That pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996, the payment of accounts for the month of July 2010, be noted.	
CARRIED 5/0	RES: 471/10

**10.2 Manager of Planning and Development**

<b>10.2.1 RENEWAL OF LEASE AND REQUEST TO FREEHOLD PART LOT 1268 HOSKING STREET, RAVENSTHORPE</b>
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<b>File Ref:</b>	14.5.0.1
<b>Applicant:</b>	Department of Regional Development and Lands
<b>Location:</b>	Lot 1268 Hosking Street, Ravensthorpe
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	10 August 2010
<b>Author:</b>	Kobus Nieuwoudt – Manager of Planning & Development Services
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	None

**Summary:**

Council is asked to provide its comments to the Department of Regional Development and Lands (DRDL) regarding a proposal to renew a lease for the purpose of "Residence and Storage" and a request to freehold a small residential area of Lot 1268 Hosking Street, Ravensthorpe.

**Background:**

This Item was first put to Council in April 2010 where Council resolved to defer the Item at the behest of the lessees of Lot 1268 (91) Hosking Street, Ravensthorpe. The lessees have now requested Shire Officers to return the Item to Council unchanged.

The property is located immediately north of Ravensthorpe Townsite and is encompassed by Hosking Street to the east, Stevenson Street to the south and Carlisle Street to the west. The property is zoned General Agriculture by

Council's Town Planning Scheme No.5 and has a legal area of 81.104ha. See location plan below.



Lot 1268 is currently leased for the purpose of "Residence and Storage". This lease is due to expire on 30 September 2010. The DRDL proposes to issue a new lease commencing on 1 October 2010 for a term of 10 years for the same purpose.

It is understood the lessees submitted requests for freehold of Lot 1268 to DRDL in 2000 and 2005. These, however, were refused based on information from the Department of Mines and Petroleum that the land is within a Mining Lease and is prospective for future mining.

The lessees have now indicated renewed interest in freeholding the land.

DRDL advises that it might be possible to freehold a small residential area of Lot 1268 with battleaxe access provided to Hosking Street with the larger balance of the Lot proposed to remain under lease.

**Comment:**

It is recommended Council advise DRDL that the proposal to issue a new lease over Lot 1268 Hosking Street, Ravensthorpe for a term of 10 years commencing 1 October 2010, is supported.

Equally, Council's Manager Planning & Development Services also supports the proposal to freehold a small portion of Lot 1268 with battleaxe access to Hosking Street.

**Consultation:**

Consultation was not considered necessary in relation to the recommendations of this report.

**Statutory Obligations:**

Nil.

**Policy Implications:**

Nil.



**Budget / Financial Implications:**

Nil.

**Strategic Implications:**

Nil.

**Sustainability Implications:**

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

**Voting Requirements:**

Simple majority

COUNCIL DECISION AND OFFICER RECOMMENDATION      ITEM 10.2.1

MOVED: CR FIELD

SECONDED: CR LANSDOWN

That Council support:-

1. the proposal to freehold a small residential area of Lot 1268 with battleaxe provided to Hosking Street.; and
2. the proposal to issue a new lease over the balance of Lot 1268 Hosking Street, Ravensthorpe for a term of 10 years commencing 1 October 2010.

CARRIED 5/0

RES: 472/10

**10.2.2 APPLICATION FOR MISCELLANEOUS LICENCE**

<b>File Ref:</b>	14.7.5
<b>Applicant:</b>	Billiton Nickel (Ravensthorpe) & QNI Western Australia Pty Ltd
<b>Location:</b>	Reserve 49054
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	11 August 2010
<b>Author:</b>	Kobus Nieuwoudt – Manager of Planning & Development Services
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	Correspondence and Map

*5.19pm – Cr Goldfinch declared a Financial Interest on the basis that he owns shares in BHP Billiton. Cr Goldfinch left the room and did not participate in the discussion or vote on the matter.*

*Cr Field was elected as Chairman.*

**Summary:**

Council is asked to consider correspondence received from the Department of Mines and Petroleum (DMP) in regards to an application by Billiton Nickel (Ravensthorpe) & QNI Western Australia Pty Ltd to construct an overland conveyor and haul road over a portion of Reserve 49054.

It is recommended Council advise DMP that the proposal is supported.

**Background:**

The applicants propose to construct a processing plant on existing cleared farm land on Oldfield Location 1269 South Coast Highway, Ravensthorpe (location of the Ravensthorpe Nickel Project). Ore from deposits at this location will be transported to a process plant by a mixture of trucking and overland conveying along a corridor that lies within Tenement L74/32 (see plan attached).

An overland conveyor and an unsealed haul road will be constructed along the corridor. The conveyor and road will cross South Coast Highway in a purpose built below-ground culvert to ensure separation of ore transport activities from road users on the Highway.

A section of the proposed conveyor and haul/service road will traverse a very small portion of Reserve 49054 vested in the Shire for the purposes of 'Parklands and Public Utility'.

**Comment:**

The proposed conveyor and haul/service road will affect a very small portion of Reserve 49054 only. The reserve abuts the Ravensthorpe Nickel Project and consists of remnant vegetation and a gravel road.

The impact of the application on the reserve will be minimal.

It is recommended Council advise the DMP that the proposal to construct an overland conveyor and haul road over a portion of Reserve 49054 is supported.

**Consultation:**

Consultation was not considered necessary in relation to the recommendations of this report.

**Statutory Obligations:**

Under sections 23 to 26 of the *Mining Act 1978*, mining may be carried out on certain classes of land with the written consent of the Hon Minister for Mines and Petroleum.

In respect to reserves vested with local authorities, the Minister is to first consult and obtain the recommendation of the vested authority and the responsible Minister before he can grant consent to mine.

**Policy Implications:**

Nil.

**Budget / Financial Implications:**

Nil.

**Strategic Implications:**

Nil.

**Sustainability Implications:**

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

**Voting Requirements:**

Simple majority

**COUNCIL DECISION AND OFFICER RECOMMENDATION    ITEM 10.2.2**

MOVED: CR LANSDOWN

SECONDED: CR VAN DE VELDE

That Council advise the Department of Mines and Petroleum that the proposal by Billiton Nickel (Ravensthorpe) & QNI Western Australia Pty Ltd to construct a conveyor and haul/service road over a portion of Reserve 49054 is supported.

CARRIED 4/0

RES: 473/10

*5.21pm – Cr Goldfinch returned to the meeting and resumed the chair.*

**10.2.3 SUPPORT REQUEST FOR SCHEME AMENDMENT**

<b>File Ref:</b>	14.4.5.27
<b>Location:</b>	Steeredale Meadows Estate Subdivision, Hopetoun
<b>Applicant:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	11 August 2010
<b>Author:</b>	Kobus Nieuwoudt – Manager of Planning & Development Services
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	Map – Steeredale Meadows Estate Subdivision

**Summary:**

Council is asked to consider a proposal to amend the Steeredale Meadows Subdivision Guide Plan and Scheme Provisions applicable to Lots 501 – 506, 510 – 513 Daviesia Drive, Lots 514 – 521 Verrucosa Parade, Lots 522 – 524 Acacia Drive, Lots 525 – 531 Verrucosa Parade, Lots 532, 536 – 538 Acacia Drive, Lots 541, 542, 546 – 548 Acacia Drive, Lots 549, 550, Lot 558 Godenia Way and Lots 559 and 560 Acacia Drive.

The purpose of this request is to ascertain Council's willingness to entertain the rezoning of the above-mentioned lots that will seek to reduce the minimum lot sizes from four (4) hectares to two (2) hectares.

**Background:**

Council considered a similar proposal at its Ordinary Council Meeting held on 22 December 2009 which sought a reduction of the minimum lot sizes of Lots 527-529 Verrucosa Parade within the Steeredale Meadows Estate Subdivision from four (4) hectares to one (1) hectare. At that meeting, Council's Manager Planning and Development Services recommended the proposal be deferred pending the outcome of further investigations into subdivision options for the entire Steeredale

Meadows Estate Subdivision. Council, however, resolved not to support the proposal (Res 293/09) and no reasons were given.

Council's planning department continues to receive many enquiries (both written and verbal) from Steeredale Meadows landowners expressing their desire to subdivide their lots.

Clause 1b) of Schedule 10 (Rural Small Holding Provisions) of Council's Town Planning Scheme No.5 for Rural Small Holding No.3 determine that no lot in the subdivision "*shall be less than 4 hectares in area*".

**Comment:**

There are considered to be three (3) key areas bearing on consideration of the proposal-

- *Shire of Ravensthorpe Local Planning Strategy 2003;*
- *Shire of Ravensthorpe Town Planning Scheme No.5; and*
- *WAPC Development Control Policies.*

Each of these areas is outlined and discussed below, under appropriate sub-headings, followed by a conclusion.

***Shire of Ravensthorpe Local Planning Strategy 2003***

The primary strategic context for consideration of the proposal is the *Shire of Ravensthorpe Local Planning Strategy 2003* (LPS).

The LPS provides a Strategic Land Use Plan (SLUP) and guiding statement for the continued development of land within the Shire.

The subject land is currently identified as 'Rural Living' in the SLUP of the LPS. This indicates that the land should continue to be used for rural residential purposes over the life of the LPS, however, the LPS does not provide any limitations on the size and density of land uses in the 'Rural Living' areas.

The LPS also recognises that no further land should be zoned for 'Rural Living' purposes. The land the subject of this proposal is already zoned *Rural Small Holding* and will produce a land use supply for this market without compromising productive agricultural land.

Council recently undertook a comprehensive review of the LPS and adopted the Final Draft at its Ordinary Council Meeting held on 22 April 2010. Copies of the Draft LPS Document have been forwarded to the Western Australian Planning Commission (WAPC) for consent to advertise in June 2010.

The land use strategy for the *Rural Small Holding* and *Rural Conservation* zones in the Draft LPS is essentially consistent with the 2003 LPS.

***Shire of Ravensthorpe Town Planning Scheme No.5***

Planning control within the Shire of Ravensthorpe is presently effected through the Shire of Ravensthorpe Town Planning Scheme No.5 gazetted on 11 July 2003 (as amended).

The objective of the *Rural Small Holding* zone is as follows:

*"This zone is for rural lots used for residential purposes in conjunction with a rural pursuit such as hobby farming or keeping of animals."*

The objective of land in the *Rural Small Holding* zone is not to be used for intensive rural purposes but rather for those residents wishing to undertake rural pursuits (usually as a hobby). The proposal is reducing the land area on which this can occur, but not to a size that precludes these types of uses occurring.

### **WAPC Development Control Policies**

DC1.1 *Subdivision of Land – General Principles* and DC3.4 *Subdivision of Rural Land* applies.

Section 3.2 of DC3.4 relates to the provision of water for rural residential subdivision and states as follows:

*"When approving lots for rural-residential development (1-4 ha) the WAPC will generally require connection to a reticulated water supply where it is practical and reasonable to do so."*

A connection to a reticulated water supply will not be established as it would not be practical and/or reasonable. The Steeredale Meadows subdivision is located approximately 3km from the nearest reticulated water supply and there are

adequate Scheme Provisions relating to on-site water capture for the installation of a 92,000L rainwater tank in Rural Small Holding No.3.

This is consistent with Rural Small Holding No.4 to the west which has subdivision approval for lots at 1.8ha (average) without connection to reticulated water.

It should also be noted that when the Steeredale Meadows subdivision was established, DC3.4 only allowed subdivision below a minimum lot size of 4ha when reticulated water was available. This has since been relaxed.

### **Conclusion**

Council's Manager Planning and Development Services believe that a minimum two (2) hectare lot requirement for the subject land would be more appropriate and acceptable within the Steeredale Meadows Estate Subdivision for the following reasons:

- The subject land is situated immediately east from Rural Small Holding Zone No.4 which contains minimum lot sizes of one (1) hectare;
- The subject land provides a better use of land resources;
- The subject land can be adequately serviced by all standard utilities within the Steeredale Meadows Estate;
- The subject land can be adequately serviced by onsite water capture through the installation of rainwater tanks;
- The land can be adequately serviced by onsite effluent disposal systems in accordance with the Department of Health and Shire regulations; and
- Future subdivision and development of the subject land is consistent with the Shire's 2003 and 2010 Draft LPS and WAPC policies.

Steeredale Meadows Estate Lots 507 – 509, 511, 533 – 535, 539, 540, 543, 544, 552 – 554 have been excluded from the proposal for the following reasons:

- To ameliorate visual clutter and to retain the 20m wide 'shelter belt' on Hopetoun-Ravensthorpe Road; and
- Lots in the southern part of the Steeredale Meadows Estate subdivision (the lots located between Godenia Way Steeredale Road) are prone to flooding and have predefined building envelopes. Further subdivision of those lots should be avoided as far as possible.

Given the above, it is recommended Council resolve to support the proposal to amend the Steeredale Meadows Subdivision Guide Plan and Scheme Provisions applicable to Lots 501 – 506, 510 – 513 Daviesia Drive, Lots 514 – 521 Verrucosa Parade, Lots 522 – 524 Acacia Drive, Lots 525 – 531 Verrucosa Parade, Lots 532, 536 – 538 Acacia Drive, Lots 541, 542, 546 – 548 Acacia Drive, Lots 549, 550, Lot 558 Godenia Way and Lots 559 and 560 Acacia Drive and request the Manager Planning and Development Services to submit full Amendment Documentation and a Modified Subdivision Guide Plan for formal initiation by Council.

**Consultation:**

Consultation was not considered necessary in relation to the recommendations of this report.

**Statutory Obligations:**

Section 75 of the *Planning and Development Act 2005* gives a local government the power to amend its local planning scheme. The procedure for preparing and adopting an amendment is provided for by the *Town Planning Regulations 1967*.

Should Council resolve to initiate an amendment, it will be required by section 81 of the Act to refer the amendment to the Environmental Protection Authority (EPA) for its consideration under section 48A of the *Environmental Protection Act 1986*.

Once Council has received advice from the EPA, it can advertise the amendment in accordance with regulation 15 of the Regulations. As the amendment is

considered to be consistent with an endorsed Local Planning Strategy, Council will be able to exercise delegated authority to advertise the amendment without seeking approval from the Western Australian Planning Commission in accordance with Planning Bulletin No.29.

Submissions on the amendment will be accepted by Council in accordance with regulation 16. Once the 42-day public submission period has ended, Council is obliged to consider the amendment in the light of submissions received (regulation 17) and resolve to adopt the amendment, modify it or resolve not to proceed.

The amendment is then forwarded to the Western Australian Planning Commission together with details of the submissions received and Council's recommendation on the amendment (regulation 18). The Commission will then consider its recommendation to the Hon. Minister of Planning, who is responsible for final approval or refusal of the amendment.

**Policy Implications:**

WAPC Development Control Policy 3.4 (DC 3.4) applies.

When Rural Small Holding No.3 was established, DC 3.4 only allowed subdivision below a minimum lot size of 4ha when reticulated water was available. This has since been relaxed.

**Budget / Financial Implications:**

Nil.

**Strategic Implications:**

Nil.

**Sustainability Implications:**

- **Environmental:**

There are no known significant environmental considerations.

- **Economic:**

There are no known significant economic considerations.

- **Social:**

There are no known significant social considerations.

**Voting Requirements:**

Simple majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

ITEM 10.2.3

MOVED: CR LANSDOWN

SECONDED: CR FIELD

That Council resolve to support the proposal to amend the Steeredale Meadows Subdivision Guide Plan and Scheme Provisions applicable to Lots 501 – 506, 510 – 513 Daviesia Drive, Lots 514 – 521 Verrucosa Parade, Lots 522 – 524 Acacia Drive, Lots 525 – 531 Verrucosa Parade, Lots 532, 536 – 538 Acacia Drive, Lots 541, 542, 546 – 548 Acacia Drive, Lots 549, 550, Lot 558 Godenia Way and Lots 559 and 560 Acacia Drive subject to the full Amendment Documentation and Modified Subdivision Guide Plan being submitted to allow for formal initiation by Council. The Amendment is to be numbered Amendment No. 27 to Shire of Ravensthorpe Town Planning Scheme No.5.

MOTION LOST 1/4

RES: 474/10

*Reason for change to Officer Recommendation:**Initial subdivision was designed with the existing size blocks and should remain as such.*

**10.2.4 CONSIDERATION OF SUBMISSIONS AND FINAL ADOPTION OF AMENDMENT 15**

<b>File Ref:</b>	14.4.5.15
<b>Location:</b>	Lot 61 Hopetoun-Ravensthorpe Road, Hopetoun
<b>Applicant:</b>	Planwest Planning Consultants
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	11 August 2010
<b>Author:</b>	Kobus Nieuwoudt – Manager of Planning & Development Services
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	Amendment Document Schedule of Submissions “Attachment A” – Requested modifications by Minister for Planning Fire Management Plan Local Water Management Strategy

**Summary:**

Council is asked to consider submissions received on Amendment 15. It is recommended that Council adopt the amendment with modifications.

**Background:**

Council initiated Amendment No.15 to its Town Planning Scheme No.5 on 21 September 2006 as follows (Resolution 208/06):

*“That:*

- a) *In pursuance of regulation 12C of the Town Planning Regulations 1967 (as amended), Council resolves to amend its Shire of Ravensthorpe Local Planning Strategy by changing the strategic land use classification of Lot 61 Hopetoun-Ravensthorpe Road, Hopetoun from ‘Agriculture’ to ‘Rural Living’;*
- b) *In pursuance of section 75 of the Planning and Development Act 2005, Council resolves to amend Shire of Ravensthorpe Town Planning Scheme No.5 by rezoning Lot 61 Hopetoun Ravensthorpe Road, Hopetoun from ‘General Agriculture’ zone to ‘Rural Small Holding’ and ‘Rural Conservation’ zones; as more clearly shown on the Scheme Amendment Map;*
- c) *The President and Chief Executive Officer be authorised to execute three (3) copies of the amendment documents in accordance with the Town Planning Regulations 1967 (as amended);*
- d) *The proposed local planning scheme amendment be numbered Amendment No.15 to Shire of Ravensthorpe Town Planning Scheme No.5 and be forwarded to the Environmental Protection Authority, together with the Amendment to the Local Planning Strategy for assessment in accordance with section 81 of the Planning and Development Act 2005;*



- e) *The proposed local planning strategy and local planning scheme amendments be forwarded to the Western Australian Planning Commission for approval to advertise in accordance with the Town Planning Regulations 1967 (as amended); and*
- f) *The proposed local planning strategy and local planning scheme amendments be advertised concurrently once approval to advertise is granted by the Western Australian Planning Commission."*

The Amendment proposed the creation of 18 Rural Conservation lots of 14ha to 112ha and 28 Rural Small Holding lots of 5ha to 15ha at the time of initiation.

A copy of the Amendment Document is attached.

***Referral to Environmental Protection Authority:***

In January 2007 the EPA wrote back to the Shire requesting that flora and fauna surveys and other investigations be carried out to assist the EPA in determining a level of assessment for the amendment. Those investigations were carried out between July and October 2007.

A report of the surveys was submitted to the EPA in January 2008. Based on the survey findings and recommendations from the consultant botanist and zoologist, the plan of subdivision was modified to improve the protection of vegetation and wetlands. In addition, proposed Scheme provisions were drafted to deal with matters including dieback hygiene, clearing restrictions, control of dogs, stock and off-road vehicle use.

In May 2008, further modifications were made to the Subdivision Guide Plan (SGP) and the proposed Scheme provisions to increase the size of the Rural Conservation Zone, reduce the number of internal roads, modify lot boundaries and increase the size of development exclusion zones. The modified report and plan were submitted to the EPA in June 2008.

On 25 August 2008, the EPA advised the Shire that the Amendment should not be assessed under Part IV, Division 3 of the EP Act but nevertheless provided advice and recommendations.

These included requests for:

- additional flora survey of road alignments and building envelopes, with the results of the survey to be subject to the approval of the DEC;
- further investigation of wetland buffer zones to the satisfaction of the DEC;
- preparation of a Wetland and Drainage Management Plan to the satisfaction of the DEC; and
- following these additional studies, re-submittal of the amendment to the EPA for approval prior to advertising.

Given that the EPA's advice is not binding on the Shire, Council resolved at its Ordinary Council Meeting held on 27 November 2008 as follows:

*"That:*

1. *Council in respect of Amendment No 15 to Shire of Ravensthorpe Town Planning Scheme No. 5 located at Lot 61 Hopetoun-Ravensthorpe Road,*

- Hopetoun, advise the Environmental Protection Authority that Council is not supportive of its request for-*
- a) *additional flora survey of road alignments and building envelopes, with the results of the survey to be subject to the approval of the Department of Environment and Conservation;*
  - b) *further investigation of wetland buffer zones to the satisfaction of the Department of Environment and Conservation;*
  - c) *preparation of a Wetland and Drainage Management Plan to the satisfaction of the Department of Environment and Conservation; and*
  - d) *re-submittal of the Amendment to the Environmental Protection Authority for approval prior to advertising*
2. *Council is satisfied that the proposed Subdivision Guide Plan, environmental report and Scheme conditions effectively and adequately addresses the matters raised in its letter of 25 August 2008.*
  3. *Council intend to proceed with advertising the Amendment.*
  4. *Council advise the Western Australian Planning Commission of its response to the EPA."*

### **Public Advertising:**

As the amendment is inconsistent with an endorsed Local Planning Strategy, Council had to seek Approval to Advertise from the Commission prior to public advertising taking place. Approval to Advertise *Shire of Ravensthorpe Scheme Amendment No. 15* in accordance with the *Town Planning Regulations 1967* was received on 12 April 2010 subject to the conditions contained in the attachment marked 'Attachment A'.

The Amendment was advertised in accordance with the *Town Planning Regulations 1967* in the following manner:

- Publication of a notice in *The Esperance Express* of 21 May 2010;
- Publication of a notice in the *Community Spirit* of 27 May 2010;
- Placement of a notice in a conspicuous place at the site from 21 May 2010 until 2 July 2010;
- Publication of an electronic copy of the Amendment Documentation on the Shire's website from 21 May 2010 until 2 July 2010;
- Placement of a copy of the Amendment Documentation at the Shire office's front counter from 21 May 2010 until 2 July 2010;
- Notifying 11 adjacent landowners in writing on 17 May 2010 and inviting comment;
- Notifying the following agencies in writing on 17 May 2010 and providing a copy of the Amendment Document:
  - WA Tourism Commission;
  - Verve Energy;
  - Department of Indigenous Affairs;
  - Department of Environment and Conservation;
  - Department of Mines and Petroleum;
  - Main Roads WA;
  - Department of Water;
  - Fire and Emergency Services Authority;
  - Horizon Power Corporation;
  - Telstra Corporation; and
  - Water Corporation.
- Notifying the following agencies in writing on 2 August 2010 and providing a copy of the Amendment Document:
  - Department of Agriculture and Food;
  - Civil Aviation Safety Authority; and
  - Department of Health

**Submissions Received:**

A total of six agency responses were received. These responses do not raise any concerns to the proposal. The Department of Environment and Conservation, however, have made several recommendations as outlined in the attached Schedule of Submissions.

Submissions received have been summarised as follows:

**1. Department of Mines and Petroleum**

Advises that the proposal area is low lying and consists mainly of coastal dune sand with clay in small lakes. The area is prospective for minerals; as a result it does not raise any issues regarding access to mineral or petroleum resources.

The Department raises no objections to the proposed Amendment.

**2. Water Corporation**

Advises that the land is within the Water Corporation's Water and Wastewater Operating Licence Areas, however, the Water Corporation is not able to provide either water or wastewater services to this development at this time.

Given that the area of the proposed lots will be in the order of 3 to 5 hectares and the likelihood that the soil types are suitable for non-site effluent disposal, it is not considered practical or economical to provide a reticulated wastewater service to the subdivision.

It is recommended that a comment in the form of a section 70A notification is placed on the certificates of title of the proposed lots advising prospective land purchasers and successors in title that a reticulated water supply service is not available and that each new owner will be required to provide their own sustainable potable water supply system to the satisfaction of the local authority.

**3. Department of Water**

Advises that the wetlands on the property have been assessed to be of high quality and high conservation value and therefore is supportive of the scheme amendment.

**4. Department of Environment and Conservation**

Advises that the location of defined development exclusion zones and any significant disturbance outside them will still require lot specific clearances based on more detailed site survey and assessment in liaison with DEC.

Advises that the report fails to mention how recorded priority flora species would be managed in the development of the site. Therefore advises that building envelopes, roads and other items that will involve the clearing of vegetation, be located so as not to contain either the priority or undescribed flora species.

Recommends controls be incorporated to minimise the visual impact of buildings and other developments within the subject land when viewed from East Mt Barren.

Recommends that shelterbelts and individual groupings or single taller trees of non-native plant species not be planted within building exclusion areas.

Recommends that a minimum 100m wide buffer of native vegetation be left as part of the building exclusion area along the two boundaries of the

subject land that front Crown land to ensure additional buffering of nearby or adjacent wetlands in Reserve 7853 (proposed Nature Reserve) and to ensure that no fire hazard separation zone impinges upon the Crown land due to proximity of building locations.

Recommends that Schedule 9 (3): Building Envelopes be amended to include minimum 100m setback from Crown lands.

Recommends that Schedule 9 (5) Vegetation Protection and Enhancement, (a) and (b) be modified to include reference to liaison with DEC.

Recommends that Schedule 9 (10) Weed Eradication Plan (a) 'include' and not be specific to *Asparagus asparagoides*.

Recommends that Schedule 9(10) Bushland Management Plan also refer to the strategic regional linkages role, ie the coastal macro corridor, and alert landowners to the Priority and Undescribed Flora that has been identified on the site.

#### **5. Civil Aviation Safety Association**

Advises that the Aeroplane Landing Areas (**ALAs**) portion of land is managed by the Shire and that the facility is not known as a Certain Other, Registered or Certified aerodrome, CASA is not sure what comments are sought.

CASA advises that what happens to the ALA is the choice of the person who holds title to the land. Generally, CASA does not conduct surveillance of ALA's.

#### **6. Department of Agriculture and Food**

The Department of Agriculture and Food advises that it does not routinely comment on applications involving the rezoning of areas of "General Agriculture", unless there is potential for conflict between the proposed new land use and the adjacent agricultural land.

The Department has no objection to the proposal on the basis that the rezoning proposal will create a 'managed' rural conservation area linked to a management plan which addresses fire, pests and weeds and provided the comments below for consideration:

- From recent aerial imagery together with information presented in the land assessment report, most of the property is covered by remnant scrub of varying condition. It also appears that the land is not used as a productive farming enterprise.
- The soil-landscapes in close proximity to Hopetoun (and what covers the block under review) comprise deep sandsheets, sand dunes, gravel plains, swales and swamps on a level to undulating landscape. The swampy and deep sandy soils in this area are often fragile and not well suited to broadacre farming. These soils are usually highly susceptible to wind erosion, water repellence, soil acidification and poor nutrients retention.
- The Department supports the concept of linking the neighbouring vegetated reserves. Based on the assessment information provided, the proposal should not affect the agricultural viability of adjacent farming land.

- DAFWA recommends that planning decisions which have implications for residential development are guided by the generic buffers and separation distances outlined in the EPA Guidance Statement No 3: *Separation Distances between Industrial and Sensitive Land Uses*.

A response to each of the agencies' comment is reflected in the Schedule of Submissions attached to this report.

***Consultations and additional requirements***

The following consultations and additional requirements were undertaken during the advertising period:

- Preparation of a Local Water Management Strategy that includes a 1:100 Year Flood Study and assessment of potential for seasonal inundation in consultation with the Department of Water;
- A detailed assessment of fire risk and development of an appropriate fire management plan;
- Further consultation with the Department of Environment and Conservation regarding potential impacts of roads and emergency access requirements on vegetation and wetlands; and
- Consultation with CASA regarding air safety and any buffer requirements if the adjoining airstrip is to be used.

All findings in respect of the above have been reflected as further proposed modifications to the amendment document, provisions and/or the Subdivision Guide Plan.

**Comment:**

Nil.

**Consultation:**

Consultations undertaken have been reflected under subheadings *Public advertising*, *Submissions received* and *Consultations and additional requirements* under 'Background' of this report.

Submissions received have been addressed in the Schedule of Submissions.

**Statutory Obligations:**

Council is now required to consider the submissions received and make a recommendation to the Minister of Planning regarding approval of the Amendment. Should Council adopt the amendment for final approval, it will need to authorise the Shire President and Chief Executive Officer to execute three (3) copies of the documents and forward them to the Western Australian Planning Commission within 42 days of the resolution.

**Policy Implications:**

Nil.

**Budget / Financial Implications:**

All costs associated with this Amendment have been covered by payment of the prescribed fee at the time of submission.

**Strategic Implications:**

Nil.

**Sustainability Implications:**

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

**Voting Requirements:**

Simple majority

## COUNCIL DECISION AND OFFICER RECOMMENDATION

ITEM 10.2.4

MOVED: CR FIELD

SECONDED: CR LANSDOWN

That:-

1. Council forward to the Western Australian Planning Commission the Schedule of Submissions and recommendations in relation to Amendment No.15;
2. Amendment No.15 to Shire of Ravensthorpe Town Planning Scheme No.5 be modified to:
  - 2.1 change the wording of Part 3 (c) (i) in Schedule 9 for Rural Conservation Zone No.8 to read as follows:  
  
“buildings and effluent disposal systems to be setback a minimum of 50 metres from any water body or wetland and a minimum of 100 metres from any adjoining Crown lands”
  - 2.2 change the wording of Part 9 (10) (a) in Schedule 9 for Rural Conservation Zone No.8 to read as follows  
  
“The subdivider shall prepare and implement a weed eradication programme to control weeds including the declared plant *Asparagus asparagoides*.”
3. Amendment No.15 to Shire of Ravensthorpe Town Planning Scheme No.5 be adopted for final approval as expressed in the Amendment Document (as modified); and
4. The Shire President and Chief Executive Officer be authorised to execute three (3) copies of the Amendment Documents for Amendment No.15 to Shire of Ravensthorpe Town Planning Scheme No.5 in accordance with regulation 22 of the *Town Planning Regulations 1967* (as amended), including the fixing of the Council's Seal in the event that the Minister of Planning approves the Amendment without any further modification.

CARRIED 5/0

RES: 475/10

**10.2.5 ADOPTION OF HOPETOUN MAINSTREET STRATEGY**

<b>File Ref:</b>	14.4.5.57
<b>Applicant:</b>	N/A
<b>Location:</b>	N/A
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	12 August 2010
<b>Author:</b>	Kobus Nieuwoudt – Manager of Planning & Development Services
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	None

**Summary:**

Council is asked to consider submissions received on the Draft Hopetoun Mainstreet Strategy ('the Strategy') during the advertising period.

It is recommended Council adopt the Strategy without modifications.

**Background:**

Council resolved under Item 10.2.5 (Res 431/10) of the Ordinary Council Meeting held on 24 June 2010 as follows:

*"That the draft Hopetoun Mainstreet Strategy be advertised in the Community Spirit, for public comment, for the period of fourteen days."*

Officers advertised the Strategy in the Community Spirit of 15 July 2010 for a period of 15 days until 29 July 2010.

A summary of the submissions received have been outlined under 'Consultation' of this report. Copies of the original submissions can be made available to Council upon request.

**Comment:**

Other than calls for a median strip on Veal Street to be flush with the existing road surface, many of the other issues raised can be achieved and incorporated into the Landscape Master Plan quite easily and without any modifications to the Landscape Master Plan.

It should, however, be noted that the Landscape Master Plan is a conceptual plan and intended to serve as a 'guide plan' only. If Council adopt the Strategy, this plan, Drawing No. SK06, will serve as a foundation for more detailed and appropriately designed engineering drawings prior to any construction work taking place.

In the submissions received, there have been many calls for a median strip at road level. Council's Manager Planning & Development Services is strongly opposed to a median strip at road level as this would nullify one of the most important elements of the Strategy namely Vehicular and Pedestrian Movement.

This street treatment (raised median), when combined with slow moving vehicles entering or exiting parking spaces will slow through traffic which will no longer be able to cross the median and encourage east-west connectivity.

It is contended that the introduction of a median strip will play an important role in linking the east and west sides of Veal Street and slowing traffic through the town centre. Moreover, a raised median also provides an opportunity for functional landscaping and creating a sense of 'scale' for both motorists and pedestrians.

The median strips will be designed and constructed to the applicable Australian Standards. This will ensure safe pedestrian crossings and adequate turning circles and manoeuvring space for all types of passenger and commercial vehicles using the main street.

The vacant triangular block on Esplanade is a Crown reserve (Reserve 36006) for 'Government requirements'. Council has already made several attempts to obtain the vesting of this land for parking purposes. It is understood that this block of land is the subject of Native Title. Further consultation with the Lands Division of the Department of Regional Development and Lands is necessary to progress this issue and could take many years to resolve.

The issue of timed parking on Veal Street is considered to be beyond the scope of the Mainstreet Strategy.

Parking on either side of Clarke Street for vehicles and trucks is not supported. The existing vehicle crossover at The Deck will prevent this and may also seriously diminish the marketability of the currently vacant commercial lot located on the north western corner of Veal and Clarke Street.

The comments received in regards to the alignment of the footpath near the war memorial and the requests for more landscaping near the town hall are noted. This, however, does not require a modification of the Landscape Master Plan.

The request for a 40km/h speed limit on Veal Street from Buckie Street in the north to the Groyne in the south already is a key recommendation in the Strategy. Therefore, no modification of the Landscape Master Plan is required.

It is recommended Council adopt the Strategy without any modifications to the drawings numbered 1002-SK06, 1002-SK07 and 1002-SK08 in the Landscape Master Plan.

**Consultation:**

As pointed out under 'Background' of this report, Shire officers advertised the Strategy in the Community Spirit for a period of 15 days from Thursday 15 July 2010 until 29 July 2010. Copies of the Strategy were also made available at the Hopetoun Telecentre and the Shire Admin offices during the advertising period.

A total of 6 submissions were received during the advertising period.

***General comments received have been summarised as follows:***

- The overall beautification of the main street is impressive and there are some obvious real improvements including the tree planting, pedestrian crossings and the enhancement of the war memorial area;
- The inclusion of general public and community utilities outside the Hopetoun IGA, which has only modest facilities currently, is a vast improvement;



- Parking at the doctor's surgery is a much needed facility and increased parking on Clarke Street supplements the Veal Street parking currently reduced by the main street beautification strategy; and
- Overall the proposal is well received and the beautification and enhancement of the Hopetoun Main Street is a welcomed development.

***Recommendations received have been summarised as follows:***

- All median strips should be at road level, and not raised above the surface level of the road as proposed;
- Heavy painting of the perimeter of the median strip with a paved brick area within the painted zone will effectively delineate the centre aligned zones. This will provide moderate traffic controls and safe pedestrian crossing;
- Manoeuvrability for large vehicles should be encouraged and commercial vehicles accessing residential areas should be discouraged;
- The proposed "raised" median strip design is quite congesting and is limiting of free flowing traffic;
- Pedestrian crossings should be raised, effectively slowing the main street traffic as speed humps;
- The proposed round-a-bout in front of the Port Hotel should not be a raised above the road level, but should be designed built at road level;
- Develop the currently vacant Crown land on Esplanade to business owners, staff and long term day parking;
- Timed parking is recommended in Veal Street (2 hours maximum) only in front of the prime commercial precinct on the east side of the road;
- Some of the proposed community outdoor table settings in front of the Hopetoun IGA should be open to the sun;
- A turn-a-round facility for larger vehicles, that is efficiently designed and well controlled, be developed on Esplanade to assist with the management of larger traffic in the main street area;
- Opinions have been raised that the hot salt wind will not allow attractive plants to grow down the centre of Veal Street south of Clarke Street;
- The raised mid road structure will not allow large vehicles to access fuel and or turn onto Veal Street as the the turning circle is not sufficient;
- Clarke Street should be used for parking of large vehicles (caravans and trucks);
- The footpath at the war memorial on Veal Street needs to line up with the path in Dawn Street;
- There should be a raised pedestrian crossing immediately north of Raglan Street to meet up with the path skirting the cricket ground and a raised crossing at the intersection of Veal Street with Esplanade;

- The large gravel verge area from Canning Boulevard north to the roundabout should be developed with garden/shrubbery of flowering plants with occasional seating along the way;
- The area between the war memorial and the town hall should be developed with gardens and seating;
- More parking and a sealed vehicle pull over area on the verge near the sporting complex; and
- A 40km/h speed limit on Veal Street should apply from Buckie Street in the north to the Groyne in the south.

***Objections received have been summarised as follows:***

- The currently proposed bollards for parking to the South of 24 Veal Street on Esplanade are located on freehold land in the plans and this bollard is restricting traffic flow through to the fuel bowser facilities in front of the Hopetoun IGA. The bollard if installed as designed will result in a significant impact to fuel sales at the Hopetoun IGA and thus direct

compensation will be due as a result of this loss. The objector therefore recommends the following:

- That the parking bays be developed leaving approximately 4-5m traffic access to the south of the bowzers. This will allow continued access to fuel facilities by large vehicles;
- The bollard is not required and a painted and paved parking area at road level is more than adequate; and
- The median strip on Veal Street, opposite the Hopetoun IGA front entrance prevents right turn exit for all vehicles and left turn exit from the fuel bowser facilities for larger vehicles and therefore the median strip must be maintained at road level to ensure the safe and effective exit from the fuel bowser facilities for clientele.

**Statutory Obligations:**

Nil.

**Policy Implications:**

Nil.

**Budget / Financial Implications:**

Nil.

**Strategic Implications:**

Nil.

**Sustainability Implications:**

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

- **Social:**  
There are no known significant social considerations.

**Voting Requirements:**

Simple majority

COUNCIL DECISION AND OFFICER RECOMMENDATION      ITEM 10.2.5

MOVED: CR LANSDOWN

SECONDED: CR VAN DE VELDE

That Council adopt the Draft Hopetoun Mainstreet Strategy without modifications.

CARRIED 4/1

RES: 476/10

*Cr Field recorded her name against the motion***10.3 Consulting Manager of Engineering Services**

Nil

**10.4 Chief Executive Officer****10.4.1 HOPETOUN TOWN HALL AND ADMINISTRATION CENTRE REDEVELOPMENT****File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 9<sup>th</sup> August 2010**Author:** Pascoe Durtanovich – Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:** None**Summary:**

To consider the appointment of a working group to progress the Hopetoun Town Hall and the Ravensthorpe Shire Administration Centre redevelopment.

**Background:**

Replacement of the Hopetoun Town Hall is identified in the Shire of Ravensthorpe Strategic Plan as is the redevelopment of the Shire administration centre.

In order to qualify for future Royalties for Regions funding Council is required to have an approved Forward Capital Works Plan in place prior to the 31<sup>st</sup> December, 2010. The two projects mentioned should be included in the plan.**Comment:**

It is understood that Council previously considered the Hopetoun Townhall project as stage 2 of the Rural Transaction Centre project. The plans at the time included office facilities, meeting room and hall.

In 2009/2010 Council progressed the design as a hall facility only, including the necessary ablution facilities.

There are a number of issues that impact on the type of facility that is required in Hopetoun that should be taken into account, including:-

- Inadequate town hall
- Limited space in the Rural Transaction Building for expansion of the Telecentre/Library and Progress Association
- The possible need for agency facilities for banking and Council business such as vehicle licensing, payment of account etc
- Inadequate facilities for more regular Council meetings

In respect to the Administration Centre building substantial works were carried out some four years ago however there are still a number of shortcoming with the building. Specifically:-

- the customer service area
- lack of office space
- lack of fire proof records storage facilities
- functional aspects

Apart from the need for a detailed Forward Capital Works Plan it is important that Council get both these projects right given the amount of expenditure that will be involved. It is recommended therefore that a Working Group be established to progress the planning of the projects. The group should consist of one Hopetoun Councillor, one Rural Ward Councillor, one Ravensthorpe Ward Councillor and the Chief Executive Officer and should address the following:-

- Current and future requirements
- Design – utilising previous plans
- Cost of facility – capital and operating
- Preparation of Community Consultation Plan
- Funding Plan

The working group should meet as often as required to enable a final report to be provided to the November, 2010 Council meeting for adoption.

**Consultation:**

A Community Consultation Plan to be developed by the Working Group.

**Statutory Obligations:**

Nil

**Policy Implications:**

Nil

**Budget / Financial Implications:**

At this point only staff costs and approximately \$1,000 for sketch plans.

**Strategic Implications:**

The Shire of Ravensthorpe Strategic Plan/ Plan for the Future action 131 page 96 and 609 page 109.

**Sustainability Implications:**

- **Environmental:**

There are no known significant environmental considerations.

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

**Voting Requirements:**

Simple majority.

**COUNCIL DECISION AND OFFICER RECOMMENDATION** ITEM 10.4.1

MOVED: CR LANSDOWN

SECONDED: CR VAN DE VELDE

That:

- (1) A Working Group be established to progress the Hopetoun Town Hall and the Ravensthorpe Shire Administration Centre projects
- (2) The Working Group consist of Cr Townsend, Cr Dunlop, Cr Goldfinch and the Chief Executive Officer.
- (3) The Working Group address the following:-
  - Current and future requirements
  - Design – utilising previous plans
  - Cost of facility – capital and operating
  - Preparation of Community Consultation Plan
  - Funding Plan
  - Report to be completed by the 31<sup>st</sup> October, 2010

CARRIED 5/0

RES: 477/10

**10.4.2 CARETAKER AT STARVATION BAY TO HOPETOUN****File Ref:****Applicant:**

Not applicable

**Location:**

Starvation Bay to Hopetoun

**Disclosure of Officer****Interest:**

None

**Date:**9<sup>th</sup> August, 2010**Author:**

Pascoe Durtanovich – Chief Executive Officer

**Authorising Officer:**

Not applicable

**Attachments:**

None

**Summary:**

To consider the establishment of a Working Group to progress the establishment of caretaker facilities for the Starvation Bay, Masons Bay coastal area.

**Background:**

Council has previously considered the provision of a caretaker to service the coastline from Starvation Bay to Hopetoun. The project is identified in the Shire of

Ravensthorpe Strategic Plan. Council is also required to have an approved Future Capital Works Plan in place to qualify for future Royalties for Regions funding.

**Comment:**

To enable the project to be progressed it is suggested that a working Group, consisting of two Councillors, the Shire Ranger and the Building Maintenance Officer be established.

### Consultation:

Not applicable

### Statutory Obligations:

Not applicable

### Policy Implications:

Nil

**Budget / Financial Implications:**

At this point only staff costs.

### Strategic Implications:

Shire of Ravensthorpe Tourism Development Strategy.

Shire of Ravensthorpe Coast Management Plan.

### Sustainability Implications:

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

### Voting Requirements:

Simple majority.

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.2
MOVED: CR VAN DE VELDE	SECONDED: CR TOWNSEND
<p>That a Working Group, consisting of C Lansdown, Cr Field, the Shire Ranger and the Chief Executive Officer, be established to progress the planning of caretaker facilities for the coastal areas from Starvation Bay to Hopetoun.</p>	
Carried 5/0	RES: 478/10

**10.4.3 SHIRE OF RAVENSTHORPE DOG LOCAL LAWS****File Ref:****Applicant:** Not applicable**Location:** Shire of Ravensthorpe**Disclosure of Officer Interest:** None**Date:** 10<sup>th</sup> August 2010**Author:** Pascoe Durtanovich –Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:** Yes –Shire of Ravensthorpe Dog Local Laws**Summary:**

The proposed Dog Local Law has been advertised for public comment. this report recommends the draft local law be adopted.

**Background:**

On the 22<sup>nd</sup> April, 2010 Council resolved as follows:-

*That council proposes to make Shire of Ravensthorpe Dog Local Law 2010 and the draft local law be advertised in accordance with section 3.12 of the Local Government Act 1995.*

The draft Local Law was advertised in accordance with requirements. At the conclusion of the advertising period there were no submissions to the Local Law.

**Comment:**

The finalisation of the Local Law can now be progressed. The Department of Local Government has suggested some drafting amendments, which do not affect the content of the local law, the draft local law has been amended accordingly.

The purpose of the Local Law is to make provisions about the impounding of dogs, to control the number of dogs that can be kept on a premises and the manner of keeping these dogs and to prescribe areas in which dogs are prohibited and dog exercise areas.

The effect of the Local Law is to extend control over dogs which exist under the Dog Act 1976.

**Consultation**

The proposed Local Law was advertised in the West Australian newspaper on the 12<sup>th</sup> May, 2010 and the Community Spirit on the 20<sup>th</sup> May, 2010

**Statutory Obligations**

Section 3.12 (4)(5)(6) of the Local Government Act ,1995 apply

- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law\* as proposed or make a local law\* that is not significantly different from what was proposed.

*\*Absolute majority required.*

- (5) After making the local law, the local government is to publish it in the *Gazette* and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the *Gazette* the local government is to give public notice-
  - (a) stating the title of the local law;
  - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation);  
and
  - (c) advising that copies of the local law may be inspected or obtained from the local government's office.

### **Policy Implications**

There are no policy implications

### **Budget / Financial Implications**

The current budget has an allocation of \$3,000 for the development of local laws. In this instance the main cost will be officer time and advertising costs.

In respect to future financial implications Council should be mindful of the fact that once the proposed local law becomes law it will have to be enforced and this will increase salary costs in the Law and Order budget.

### **Strategic Implications**

Nil

### **Sustainability Implications:**

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

### **Voting Requirements:**

Absolute majority.

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.3
MOVED: CR FIELD	SECONDED: CR VAN DE VELDE
That Council, having noted that no public submissions were received following statewide and local advertising and incorporating minor amendments suggested by the Department of Local Government, adopts the Shire of Ravensthorpe Dog Local Law 2010.	
CARRIED 5/0	RES: 479/10



**10.4.4 SHIRE OF RAVENSTHORPE PARKING AND PARKING FACILITIES LOCAL LAW 2010**

<b>File Ref:</b>	
<b>Applicant:</b>	Shire of Ravensthorpe
<b>Location:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	10 <sup>th</sup> August 2010
<b>Author:</b>	Consultancy
<b>Authorising Officer:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Attachments:</b>	Yes – Local Law

**Summary:**

The purpose of this item is to allow the Council to resolve to make the Shire of Ravensthorpe Parking and Parking Facilities Local Law 2010.

**Background:**

Council proposed by resolution at its meeting of 20 May 2010 to make the Shire of Ravensthorpe Parking and Parking Facilities Local Law 2010 and to advertise it for public comment.

The proposed local law was advertised in the West Australian on Wednesday 26 May 2010 and the 42 public consultation period closed on 12 July 2010. A copy of the local law was sent to the Minister for Local Government for comment. The Department for Local Government provided comment on the 5 August 2010 on behalf of the Minister.

There were no public submissions received on the local law.

The comments provided by the Department of Local Government related to the set out and suggestions on incorporating the new drafting style being used by Parliamentary Counsel when drafting State legislation.

The Departments comments did not alter the adopted proposed local law to the extent that the local law presenting for making could be considered significantly different from what was proposed.

**Comment:**

The proposed Parking and Parking Facilities Local Law 2010 is based on the model Local Law developed by WALGA.

**Consultation:**

Consultation has been undertaken by providing a 42 day submission period. No submissions were received.

**Statutory Obligations:**

As it is proposed to adopt a local law, the following processes, as set out in section 3.12 of the Local Government Act 1995, must be observed —

1. At a Council meeting the person presiding is to give notice of the purpose and effect of the proposed local law by ensuring that:-

- (a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and
- (b) the minutes of the meeting of the Council include the purpose and effect of the proposed local law.

2. A local government is to -

- (a) give Statewide public notice stating that -
  - (i) the local government proposes to make a local law, the purpose and effect of which is summarised in the notice;
  - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
  - (iii) submissions about the proposed local law may be made to a local government before a date to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
- (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice is to be forwarded to the relevant Minister.
- (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

After the last day for submissions, the local government is to consider any submissions made and may make the local law as proposed or make a local law that is not significantly different from what was proposed.

The local law is then published in the Government Gazette, advertised and a copy sent to the relevant Minister and the State Parliament Joint Standing Committee on Delegated Legislation.

The local law comes into effect 14 days after publication in the Government Gazette.

**Policy Implications:**

Policy G1 Meetings of Council refers.

**Budget / Financial Implications:**

A consultant has been engaged to develop and or review the required local laws. The proposed local law needs to be advertised in a newspaper circulating

throughout the State and once made by Council is required to be advertised in the Government Gazette.

**Strategic Implications**

Nil

**Sustainability implications:**

**Environmental**

There are no known significant environmental considerations.

**Economic:**

There are no known significant economic considerations.

**Social:**

There are no known significant social considerations.

**Voting Requirements:**

Absolute Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.4
MOVED: CR LANSDOWN	SECONDED: CR TOWNSEND
That Council make the Shire of Ravensthorpe Parking and Parking Facilities Local Law 2010 as attached as attachment No 10.4.4.	
CARRIED 5/0	RES: 480/10

#### 10.4.5 POLICY MANUAL AMENDMENT

<b>File Ref:</b>	Policy Manual
<b>Applicant:</b>	Not applicable
<b>Location:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	10 <sup>th</sup> August, 2010
<b>Author:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	Yes – Subject Policy

#### Summary:

Council is requested to adopt a draft policy which was inadvertently omitted from the previous adopting resolution.

#### Background:

Nil

#### Comment:

Policies of Council were received and adopted at the May, 2010 council meeting, following a number of workshops the attached policy was included in the review, however was not included in the adopting resolution. The policy has to be adopted by Council to enable implementation.

#### Consultation:

Not applicable

#### Statutory Obligations:

Nil

#### Policy Implications:

Review of existing policy.

#### Budget / Financial Implications:

Funds have been included in the 2010/2011 Budget to accommodate staff requests for funding under the policy.

#### Strategic Implications:

The policy is part of Council's staff retention strategy.

**Sustainability Implications:**

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

**Voting Requirements:**

Simple majority.

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.5
MOVED: CR LANSDOWN	SECONDED: CR FIELD
That the draft Staff, Education and Study Assistance policy No A16, identified as attachment 10.4.5, be adopted.	
CARRIED 5/0	RES: 481/10

**10.4.6 SHIRE OF RAVENSTHORPE FIREBREAK ORDER 2010/2011**
**File Ref:**

<b>Applicant:</b>	Not applicable
<b>Location:</b>	Shire of Ravensthorpe Municipal District
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	10 <sup>th</sup> August, 2010
<b>Author:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	Yes – Draft Notice

**Summary:**

Council is required to review and adopt a Firebreak Order, to be issued to property owners within the Shire.

**Background:**

Nil

**Comment:**

Minor changes have been made to the previous Firebreak Order, specifically to the method of providing firebreaks. Additional options of slashing, spraying and grazing have been included. A list of contractors has also been included.

**Consultation:**

The Chief Bushfire Control Officer has been consulted and has had input in the content of the order.

**Statutory Obligations:**

Bush Fires Act, 1954.

**Policy Implications:**

Nil

**Budget / Financial Implications:**

Nil apart from in house printing costs.

**Strategic Implications:**

Nil

**Sustainability Implications:**

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

**Voting Requirements:**

Simple majority.

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.6
MOVED: CR VAN DE VELDE	SECONDED: CR FIELD
That the draft 2010/2011 Firebreak Order, identified as attachment 10.4.6 be adopted.	
CARRIED 5/0	RES: 482/10

**10.4.7 HOPETOUN CARAVAN PARK LEASE AGREEMENT****File Ref:**

<b>Applicant:</b>	Lessee
<b>Location:</b>	Reserve A25270
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	10 <sup>th</sup> August, 2010
<b>Author:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	None

**Summary:**

Council has previously supported a new extended lease for the Hopetoun Caravan Park. This report recommends the new lease be advertised.

**Background:**

The Hopetoun Caravan Park is located on A class reserve 25270, vested in Council for the purpose of Caravan and Camping, with power to lease for a term not exceeding 21 years.

The current lease expires on the 30<sup>th</sup> June, 2026.

A public accessway dissecting the property was recently closed and the resulting land amalgamated with the caravan park reserve.

Council considered this matter on the 22<sup>nd</sup> April, 2010 and resolved as follows:-

*That the proposal to extend the lease on the Hopetoun Caravan Park, A Class Reserve 25270, to the maximum period of 21 years be advertised in accordance with Section 3.58 of the Local Government Act, 1995 following:-*

1. *the preparation and submission of a park development plan, to Council by the lessee.*
2. *a current lease fee valuation being obtained from a sworn valuer, at the lessee's cost.*

**Comment:**

The lessee has now provided a written statement on works undertaken in the park and works proposed to be undertaken over the next 18 months.

A new valuation has also been obtained from a sworn valuer. Both the valuation details and the upgrading commitments have been provided to Councillors under separate cover.

The information provided satisfies Council's resolution of the 22<sup>nd</sup> April, 2009 therefore the proposal to extend the lease can now be advertised, in accordance with Section 3.58 of the Local Government Act, 1995.

**Consultation:**

The proposal will be advertised in the Community Spirit and the Esperance Express.

**Statutory Obligations:**

Local Government Act, 1995, section 3.58 disposal of property requirements have to be complied with. The relevant clause is as follows:-

A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property-

- (a) it gives local public notice of the proposed disposition-
  - I. describing the property concerned; and
  - II. giving details of the proposed disposition; and
  - III. inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
- and
- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by council or a committee, the

decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include-
- (a) the names of all other parties concerned; and
  - (b) the consideration to be received by the local government for the disposition: and
  - (c) the market value of the disposition-
    - I. as ascertained by a valuation carried out not more than 6 months before the proposed disposition: or
    - II. as declared by resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

**Policy Implications:**

Nil

**Budget / Financial Implications:**

The cost of a new lease, prepared by Council Solicitor, could be up to \$1,500 (estimate only).

A lease fee valuation, by a private valuer, will be in the vicinity of \$500 to \$1,000. These costs will be met by the lessee.

**Strategic Implications:**

Nil

**Sustainability Implications:**

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

**Voting Requirements:**

Simple majority.

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.7
MOVED: CR FIELD	SECONDED: CR LANSDOWN
That:	
(1) the proposal to disposal of A Class Reserve 25270, by lease and by private Treaty to Witcomb Pty Ltd for a term of 21 years, be advertised in accordance with Section 3.58 of the Local Government Act, 1995.	
(2) the land rental valuation of \$23,774 per annum, applicable from the 17 <sup>th</sup> June, 2010, be adopted as a true market value.	
CARRIED 5/0	RES: 483/10

#### 10.4.8 RAVENSTHORPE COMMUNITY RESOURCE CENTRE – LEASE OF RESERVE 44777

<b>File Ref:</b>	
<b>Applicant:</b>	Ravensthorpe Community Resource Centre
<b>Location:</b>	Reserve 44777, Dunn Street, Ravensthorpe
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	12 <sup>th</sup> August 2010
<b>Author:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	Yes – Draft Lease Document

*Prior to any consideration of item 10.4.8 Cr Lansdown made the following declaration:*

*"I am a committee member of the Resource Centre and as a consequence there may be a perception that my impartiality on this matter may be affected. I declare that I will consider this matter on its merits and vote accordingly".*

#### **Summary:**

To consider the leasing of Reserve 44777, Dunn Street, Ravensthorpe to the current occupiers, Ravensthorpe Community Resource Centre.

#### **Background:**

The Ravensthorpe Community Resource Centre, formally Ravensthorpe Telecentre, has occupied portion of the premises on Reserve 44777 for a number of years. As part of their operation the Resource Centre operates the Shire library on behalf of the Council.

There may have been a lease agreement in place at some stage however according to Council records there is nothing in place now.

#### **Comment:**

Since the initial occupancy of portion of the building by the Resource Centre the Department of Agriculture and Food has vacated the offices they have leased/occupied since approximately 1999.



The Resource Centre has expressed an interest in having these office included in their lease.

A draft lease document is attached.

**Consultation:**

Not applicable

**Statutory Obligations:**

As a "Community" group disposal of property requirements under the Local Government Act, 1995 do not apply.

**Policy Implications:**

Nil

**Budget / Financial Implications**

Council contributes to the operation of the Resource Centre and for the library operation, the 2010/11 allocation is \$10,000 (Telecentre) and \$27,000 (Library).

**Strategic Implications**

Nil

**Sustainability Implications:**

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

**Voting Requirements**

Simple majority for Recommendation (1)

Absolute majority for Recommendation (2)

COUNCIL DECISION AND OFFICER RECOMMENDATION (1)    ITEM 10.4.8

MOVED: CR TOWNSEND

SECONDED: CR VAN DE VELDE

That :-

- (1) Reserve 44777 Dunn Street Ravensthorpe and the premises thereon, be leased to the Ravensthorpe Resource Centre for a period of 10 years with an option of a further 10 years.
- (2) the draft lease document identified as attachment 10.4.17 be adopted.

CARRIED 5/0

RES: 484/10

**COUNCIL DECISION AND OFFICER RECOMMENDATION (2)    ITEM 10.4.8****MOVED:** CR TOWNSEND**SECONDED:** CR LANSDOWN

That the Chief Executive Officer be delegated authority to make minor amendments to the Ravensthorpe Community Resource Centre/ Shire of Ravensthorpe lease document.

**CARRIED BY ABSOLUTE MAJOIRTY 5/0****RES: 485/10****10.4.9    WAVECREAST VILLAGE – BHP DONATED UNITS****File Ref:****Applicant:** Wavecreast Village**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 10<sup>th</sup> August, 2010**Author:** Pascoe Durtanovich – Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:** None

*5.50pm- Cr Goldfinch declared a financial interest on the basis that he owns two properties at Wavecreast Village.*

*Cr Goldfinch left the room and did not participate in the discussion or vote on the matter.*

*Cr Townsend was elected Chairperson.*

**Summary:**

The owner of Wavecreast Village has inquired whether Council would consider selling the two remaining BHP donated units. This report recommends that the CEO obtain a valuation of the units for consideration by Council at the September , 2010 meeting.

**Background:**

Following the closure of the Ravensthorpe Nickel Mine BHP Billiton donated four of their Wavecreast Village units to Council for relocation and refurbishment as childcare facilities, two in Ravensthorpe and two in Hopetoun.

Two units have already being relocated to Ravensthorpe and are in the process of being refurbished.

**Comment:**

Ownership of the purpose built childcare facility at Hopetoun is unresolved at this stage therefore it may be that ultimately the Wavecreast Village units will not be required for childcare use. Even if they are, council should consider carefully the merit of using the units for that purpose.

Given the cost of relocation, refurbishment etc it may be more cost effective to dispose of the units and use the funds to provide a purpose built facility.

Verbal advice from BHP Billiton is that Council can dispose of the units.

Given the location of the units one would expect that the maximum sale value would be achieved by disposing of the units by private treaty to the owner of the property on which the buildings are located.

**Consultation:**

Prior to making a decision to dispose of property by private treaty the proposal must be advertised for public comment.

**Statutory Obligations:**

Council can dispose of property either by public tender, auction or by private treaty. If property is disposed of by private treaty the following process applies:-

The Local Government Act, 1995, Section 3.58 disposal of property requirements have to be complied with. The relevant clause is as follows:-

*A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property-*

*(a) it gives local public notice of the proposed disposition-*

*I. describing the property concerned; and*

*II. giving details of the proposed disposition; and*

*III. inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*

*and*

*(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

*(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include-*

*(a) the names of all other parties concerned; and*

*(b) the consideration to be received by the local government for the disposition: and*

*(c) the market value of the disposition-*

*I. as ascertained by a valuation carried out not more than 6 months before the proposed disposition: or*

*II. as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

**Policy Implications:**

Nil

**Budget / Financial Implications:**

Cost of advertising, approximately \$100. Value of buildings will be determined by valuation.

**Strategic Implications:**

Nil

**Sustainability Implications:**

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

**Voting Requirements:**

Simple majority.

COUNCIL DECISION AND OFFICER RECOMMENDATION      ITEM 10.4.9

MOVED: CR FIELD

SECONDED: CR VAN DE VELDE

That the Chief Executive Officer obtain a valuation for the two Wavecreast Village units, from a qualified valuer for consideration by Council at the September, 2010 meeting.

CARRIED 4/0

RES: 486/10

5.51PM- Cr Goldfinch return to the meeting and resumed the chair.

<b>10.4.10 RAVENSTHORPE ENTERTAINMENT CENTRE MANAGEMENT COMMITTEE (RECMC)</b>
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**File Ref:****Applicant:**

Not applicable

**Location:**

Ravensthorpe Sporting Complex

**Disclosure of Officer****Interest:**

None

**Date:**10<sup>th</sup> August, 2010**Author:**

Angela Jess- Community Service Officer

**Authorising Officer:**

Pascoe Durtanovich – Chief Executive Officer

**Attachments:**

None

*Prior to any consideration of item 10.4.10 Cr Van De Velde made the following declaration:*

*"I am a member of various sporting clubs and as a consequence there may be a perception that my impartiality on this matter may be affected. I declare that I will consider this matter on its merits and vote accordingly".*

*Prior to any consideration of item 10.4.10 Cr Townsend made the following declaration:*

*"I am a member of Tigers sporting clubs and as a consequence there may be a perception that my impartiality on this matter may be affected. I declare that I will consider this matter on its merits and vote accordingly".*

**Summary:**

Consideration of recommendations from the Ravensthorpe Entertainment Centre Management Committee Meeting held on the 4<sup>th</sup> August 2010

**Background:**

The Ravensthorpe Entertainment Centre Management Committee Incorporated (RECMC) is not a Committee of Council, and has no decision making authority. The RECMC is governed by its constitution and a Management Agreement signed by both parties on the 4<sup>th</sup> August 2009.

The RECMC is responsible for providing Council recommendations for distribution of bar and membership profits.

The total bar profits as at June 30 2010 is \$10,323.

Previously, during Councils June 2010 meeting (resolution 443/10), Council has endorsed expenditure on the following items;

\$500.00	Toys for crèche
\$1300.00	Lockable storage space
\$1000.00	Chest Freezer
\$50.00	DVD player for crèche
\$50.00	TV shelves

**Comment:**

There are two additional budget items requiring Council consideration.

1. The purchase of a Portable PA (Public Address) System valued up to \$2437.40.

A portable system has been proposed for use within the entire Ravensthorpe Sporting Complex.

2. An additional \$310.00 to go toward the purchase of a chest freezer for the centre.

\$1000 has been previously allocated for a freezer however the chosen freezer will cost \$1310.00.

**Consultation:**

Not applicable.

**Statutory Obligations:**

Nil

**Policy Implications:**

Nil

**Budget / Financial Implications:**

Monies to be allocated from bar and membership profits.

**Strategic Implications:**

Nil

**Sustainability Implications:**

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

**Voting Requirements:**

Simple majority.

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.10
MOVED: CR TOWNSEND	SECONDED: CR VAN DE VELDE
That:	
1) Council endorse the purchase of a portable PA system at the cost of up to \$2437.40 for the Ravensthorpe Sporting Complex.	
2) Council endorse the allocation of an additional \$310.00 for the purchase of a chest freezer for the Ravensthorpe Entertainment Centre.	
CARRIED 5/0	RES: 487/10

<b>10.4.11 DEPARTMENT OF SPORT AND RECREATION CSRFF SMALL GRANTS ROUND</b>
--

**File Ref:**

**Applicant:** Not applicable

**Location:** Not applicable

**Disclosure of Officer Interest:** None

**Date:** 10<sup>th</sup> August, 2010

**Author:** Angela Jess- Community Service Officer

**Authorising Officer:** Pascoe Durtanovich – Chief Executive Officer

**Attachments:** None

**Summary:**

Council is requested to prioritize applications received for submission to the Department of Sport and Recreation (DSR) for their 2010/11 CSRFF Small Grants Round.

**Background:**

Each year the DSR make funds available through their Community Sporting and Recreation Facilities Fund (CSRFF).

As part of the assessment process, applicants must liaise with their Local Government Authorities (LGA) regarding planning and building approvals

pertinent to their project. LGA's are then required to assess relevant applications and rank applications in priority order for the municipality.

This year, two applications have been received.

1. Munglinup Community Group, tennis court upgrade
2. Hopetoun Everett Country Golf Club, stage 2 of water reticulation project.

The DSR fund up to one third of the total project cost.

**Comment:**

Both applicants sought funding from the 2010/11 Shire of Ravensthorpe Community Development Fund (CDF) which formed part of their applications, both of which were unsuccessful.

Applicants also liaised with the Community Services Officer throughout this process.

Ranking assessment has been based on the following criteria;

- Project justification
- Planning
- Community consultation
- Access and opportunity by members as well as the municipality
- Design
- Financial viability including commitment from the applicant
- The potential to increase physical activity
- And sustainability of the project

**Consultation:**

Nil

**Statutory Obligations:**

Nil

**Policy Implications:**

Nil

**Budget / Financial Implications:**

Nil

**Strategic Implications:**

Nil.

**Sustainability Implications:**

- **Environmental:**  
There are no known significant environmental considerations.
- **Economic:**  
There are no known significant economic considerations.
- **Social:**  
The project identified will improve existing facilities and provide for ongoing activities in relatively isolated communities.

**Voting Requirements:**

Simple majority.

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.11
MOVED: CR FIELD	SECONDED: CR VAN DE VELDE
That:	
Council support the following projects, in priority order, for submission to the Community Sporting and Recreation Facilities Fund 2010/11:	
<ol style="list-style-type: none"> <li>1. Munglinup Community Group - Tennis Court Upgrade Project</li> <li>2. Hopetoun Everett Country Golf Club - Stage 2 of Water Reticulation Project.</li> </ol>	
but not contribute financially	
CARRIED 5/0	RES: 488/10

#### 10.4.12 SHIRE OF RAVENSTHORPE PEST PLANT LOCAL LAW 2010

<b>File Ref:</b>	
<b>Applicant:</b>	Shire of Ravensthorpe
<b>Location:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	10 <sup>th</sup> August, 2010
<b>Author:</b>	Consultancy
<b>Authorising Officer:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Attachments:</b>	Yes – Local Law

#### Summary:

The purpose of this item is to allow the Council to resolve to make the Shire of Ravensthorpe Pest Plant Local Law 2010.

#### Background:

Council proposed by resolution at its meeting of 20 May 2010 to make the Shire of Ravensthorpe Pest Plant Local Law 2010 and to advertise it for public comment.

The proposed local law was advertised in the West Australian on Wednesday 26 May 2010 and the 42 public consultation period closed on 12 July 2010.

A copy of the local law was sent to the Minister for Agriculture and Food and the Minister for Local Government for comment. The Minister responded on the 21<sup>st</sup> June, 2010 advising that he supports the proposed Local Law and commending Council on the initiative.

The Department for Local Government provided comment on the 5 August 2010 on behalf of the Minister.

There were no public submissions received on the local law.



The comments provided by the Department of Local Government related to the set out and suggestions on incorporating the new drafting style being used by Parliamentary Counsel when drafting State legislation.

The Departments comments did not alter the adopted proposed local law to the extent that the local law presenting for making could be considered significantly different from what was proposed.

**Comment:**

The proposed Pest Plant Local Law 2010 is based on the model local law developed by WALGA.

**Consultation:**

Consultation has been undertaken by providing a 42 day submission period. No submissions were received.

**Statutory Obligations:**

As it is proposed to adopt a local law, the following processes, as set out in section 3.12 of the Local Government Act 1995, must be observed —

1. At a Council meeting the person presiding is to give notice of the purpose and effect of the proposed local law by ensuring that:-
  - (a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and
  - (b) the minutes of the meeting of the Council include the purpose and effect of the proposed local law.
2. A local government is to -
  - (a) give Statewide public notice stating that -
    - (i) the local government proposes to make a local law, the purpose and effect of which is summarised in the notice;
    - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
    - (iii) submissions about the proposed local law may be made to a local government before a date to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
  - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice is to be forwarded to the relevant Minister.
  - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

After the last day for submissions, the local government is to consider any submissions made and may make the local law as proposed or make a local law that is not significantly different from what was proposed.

The local law is then published in the Government Gazette, advertised and a copy sent to the relevant Minister and the State Parliament Joint Standing Committee on Delegated Legislation.

The local law comes into effect 14 days after publication in the Government Gazette.

**Policy Implications:**

Policy G1 Meetings of Council refers.

**Budget / Financial Implications:**

A consultant has been engaged to develop and or review the required local laws. The proposed local law needs to be advertised in a newspaper circulating

throughout the State and once made by Council is required to be advertised in the Government Gazette.

### **Strategic Implications**

Nil

### **Sustainability Implications:**

- **Environmental:**  
Control of pest plants will protect native vegetation.
- **Economic:**  
There are no known significant economic considerations.
- **Social:**  
There are no known significant social considerations.

### **Voting Requirements:**

Absolute Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.12
MOVED: CR LANSDOWN	SECONDED: CR TOWNSEND
That:	
Council makes the Shire of Ravensthorpe Pest Plant Local Law 2010 as attached as attachment No 10.4.12.	
CARRIED 5/0	RES: 489//10

## **10.4.13 SHIRE OF RAVENSTHORPE BUSH FIRE LOCAL LAW 2010**

### **File Ref:**

**Applicant:** Shire of Ravensthorpe

**Location:** Not applicable

**Disclosure of Officer Interest:** None

**Date:** 10<sup>th</sup> August, 2010

**Author:** Consultancy

**Authorising Officer:** Pascoe Durtanovich – Chief Executive Officer

**Attachments:** Yes – Local Law

### **Summary:**

The purpose of this item is to allow the Council to resolve to make the Shire of Ravensthorpe Bush Fire Brigades Local Law 2010.

### **Background:**

Council proposed by resolution at its meeting of 20 May 2010 to make the Shire of Ravensthorpe Bush Fire Brigades Local Law 2010 and to advertise it for public comment.

The proposed local law was advertised in the West Australian on Wednesday 26 May 2010 and the 42 public consultation period closed on 12 July 2010.

A copy of the local law was sent to the Minister for Police and Emergency Services and the Minister for Local Government for comment. The Minister responded on the 21<sup>st</sup> June, 2010 advising that he has forwarded the proposed Local Law to FESA for comment, if necessary, direct to Council. There has been no comment.

The Department for Local Government provided comment on the 5 August 2010 on behalf of the Minister.

There were no public submissions received on the local law.

The comments provided by the Department of Local Government related to the set out and suggestions on incorporating the new drafting style being used by Parliamentary Counsel when drafting State legislation.

The Departments comments did not alter the adopted proposed local law to the extent that the local law presenting for making could be considered significantly different from what was proposed.

**Comment:**

The proposed Bush Fire Brigades Local Law 2010 is based on the model local law developed by WALGA.

**Consultation:**

Consultation has been undertaken by providing a 42 day submission period. No submissions were received.

**Statutory Obligations:**

As it is proposed to adopt a local law, the following processes, as set out in section 3.12 of the Local Government Act 1995, must be observed —

1. At a Council meeting the person presiding is to give notice of the purpose and effect of the proposed local law by ensuring that:-
  - (a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and
  - (b) the minutes of the meeting of the Council include the purpose and effect of the proposed local law.
2. A local government is to -
  - (a) give Statewide public notice stating that -
    - (i) the local government proposes to make a local law, the purpose and effect of which is summarised in the notice;
    - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
    - (iii) submissions about the proposed local law may be made to a local government before a date to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
  - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice is to be forwarded to the relevant Minister.
  - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

After the last day for submissions, the local government is to consider any submissions made and may make the local law as proposed or make a local law that is not significantly different from what was proposed.

The local law is then published in the Government Gazette, advertised and a copy sent to the relevant Minister and the State Parliament Joint Standing Committee on Delegated Legislation.

The local law comes into effect 14 days after publication in the Government Gazette.

**Policy Implications:**

Policy G1 Meetings of Council refers.

**Budget / Financial Implications:**

A consultant has been engaged to develop and or review the required local laws. The proposed local law needs to be advertised in a newspaper circulating throughout the State and once made by Council is required to be advertised in the Government Gazette.

**Strategic Implications**

Nil

**Sustainability Implications:**

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

**Voting Requirements:**

Absolute Majority

*Chief Executive Officer advised that FESA has submitted the following comment.*

COUNCIL DECISION AND OFFICER RECOMMENDATION      ITEM 10.4.13

MOVED: CR VAN DE VELDE

SECONDED: CR TOWNSEND

That:

Council makes the Shire of Ravensthorpe Bush Fire Local Law 2010 as attached as attachment No 10.4.13.

**Machinery Motion**

MOVED: CR FIELD

SECONDED: CR VAN DE VELDE

That this item be deferred to the September 2010 meeting of Council pending clarification on FESA's submission.

CARRIED 5/0

RES: 490/10

**10.4.14 SHIRE OF RAVENSTHORPE STANDING ORDERS AMENDMENT LOCAL LAW 2010**

<b>File Ref:</b>	
<b>Applicant:</b>	Shire of Ravensthorpe
<b>Location:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	10 <sup>th</sup> August, 2010
<b>Author:</b>	Consultancy
<b>Authorising Officer:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Attachments:</b>	Yes – Local Law

**Summary:**

The purpose of this item is to allow the Council to resolve to make the Shire of Ravensthorpe Standing Orders Amendment Local Law 2010.

**Background:**

Council proposed by resolution at its meeting of 20 May 2010 to make the Shire of Ravensthorpe Standing Orders Amendment Local Law 2010 and to advertise it for public comment.

The proposed local law was advertised in the West Australian on Wednesday 26 May 2010 and the 42 public consultation period closed on 12 July 2010.

A copy of the local law was sent to the Minister for Local Government for comment. The Department for Local Government provided comment on the 5 August 2010 on behalf of the Minister.

There were no public submissions received on the local law.

The comments provided by the Department of Local Government related to the set out and suggestions on incorporating the new drafting style being used by Parliamentary Counsel when drafting State legislation.

The Departments comments did not alter the adopted proposed local law to the extent that the local law presenting for making could be considered significantly different from what was proposed.

**Comment:**

The proposed Standing Orders Amendment Local Law 2010 is based on the model local law developed by WALGA.

**Consultation:**

Consultation has been undertaken by providing a 42 day submission period. No submissions were received.

**Statutory Obligations:**

As it is proposed to adopt a local law, the following processes, as set out in section 3.12 of the Local Government Act 1995, must be observed —

1. At a Council meeting the person presiding is to give notice of the purpose and effect of the proposed local law by ensuring that:-

- (a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and
- (b) the minutes of the meeting of the Council include the purpose and effect of the proposed local law.

2. A local government is to -

- (a) give Statewide public notice stating that -
  - (i) the local government proposes to make a local law, the purpose and effect of which is summarised in the notice;
  - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
  - (iii) submissions about the proposed local law may be made to a local government before a date to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
- (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice is to be forwarded to the relevant Minister.
- (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

After the last day for submissions, the local government is to consider any submissions made and may make the local law as proposed or make a local law that is not significantly different from what was proposed.

The local law is then published in the Government Gazette, advertised and a copy sent to the relevant Minister and the State Parliament Joint Standing Committee on Delegated Legislation.

The local law comes into effect 14 days after publication in the Government Gazette.

**Policy Implications:**

Policy G1 Meetings of Council refers.

**Budget / Financial Implications:**

A consultant has been engaged to develop and or review the required local laws. The proposed local law needs to be advertised in a newspaper circulating throughout the State and once made by Council is required to be advertised in the Government Gazette.

**Strategic Implications**

Nil

**Sustainability Implications:**

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

**Voting Requirements:**

Absolute Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.14
MOVED: CR LANSDOWN	SECONDED: CR FIELD
That: Council makes the Shire of Ravensthorpe Standing Orders Amendment Local Law 2010 as attached as attachment No 10.4.14.	
CARRIED 5/0	RES: 491/10

#### 10.4.15 HAMERSLEY INLET DEVELOPMENT PLAN

<b>File Ref:</b>	
<b>Applicant:</b>	Not applicable
<b>Location:</b>	Reserve 17544
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	10 <sup>th</sup> August 2010
<b>Author:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	Yes – Development Options

#### Summary:

The Project Development Plan for the Hamersley Inlet reserve has been further developed with a number of options. This report recommends that Council determine a preferred option.

#### Background:

At the meeting on the 22<sup>nd</sup> April, 2010 Council considered a Project Plan for Reserve 17544 (Hamersley Inlet). At that meeting Council resolved as follows:-

*That:-*

- 1. The Hamersley Inlet (Reserve 17544) redevelopment Project Plan, identified as attachment 10.4.1 be adopted.*
- 2. The Plan be advertised for public information*

The Department of Environment and Conservation has now undertaken further, more specified, site assessment, both in respect to the access road alignment and facility development and has developed a number of development options for Council to consider.

#### Comment:

The options for the redevelopment of reserve 17544 include a day use area, caravan and camping area and accommodation area. This is the same concept as that adopted by Council in April, 2010.

It should be noted that in all options to be considered the accommodation aspect of the redevelopment is a long term option. The caravan and camping area and the day use area will occur within the current development phase.

Councils task at this point is to determine the location of each aspect of the development.

Once a final development plan is determined considerable planning is required to address issues such as power supply, water etc

**Consultation:**

The development concept has been advertised for public information.

**Statutory Obligations:**

Caravan and Camping Regulations.

Compliance with reserve management order.

**Policy Implications:**

Nil

**Budget / Financial Implications**

There are no budget or financial implications for the capital works, this is to be funded by the grant funds. Depending on future management arrangements Council may well be involved with ongoing operating costs.

**Strategic Implications**

A major works identified in the Shire of Ravensthorpe Strategic Plan; Action 107 refers to the support and promotion of the tourism industry.

**Sustainability implications:**

- **Environmental**  
Any development in the reserve will be undertaken in accordance with Department of Environment guidelines and approvals.
- **Economic:**  
Developments such as proposed both in the National Park and Council's reserve will obviously increase the number of visitors to the area and hence have a positive impact on the local economy, however the projects within the reserve such as the Nature Park may not be self supporting.
- **Social:**  
There are no known significant social considerations.

**Voting Requirements**

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.15
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MOVED: CR FIELD

SECONDED: CR VAN DE VELDE

That:

Option 1, Plan 5, for the redevelopment of Reserve 17544 Hamersley Inlet, be adopted, with the following amendments

- Nature bases camping being included (as per option 2)
- A secure service area being included.

CARRIED 4/1

RES: 492/10

*Cr Lansdown recorded his against the motion.*



**10.4.16 LOCAL GOVERNMENT PROPERTY LOCAL LAW**

<b>File Ref:</b>	
<b>Applicant:</b>	Shire of Ravensthorpe
<b>Location:</b>	Shire of Ravensthorpe
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	10 <sup>th</sup> August 2010
<b>Author:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	Yes – copy of Joint Standing Committee Correspondence

**Summary:**

The Joint Standing Committee on Delegation Legislation has identified an omission in the Shire of Ravensthorpe Property Local Law.

This report recommends the omission be addressed as requested by the Joint Standing Committee.

**Background:**

The Local Law was gazetted on the 8<sup>th</sup> June, 2010 and as required a copy was forwarded to the Joint Standing Committee on Delegation Legislation.

The issue identified refers to Clause 1.6 (b). Which states:-

**1.6 Application**

(1) *This local law applies –*

- (a) *throughout the district; and*
- (b) *along the district's southern boundary, from the high water mark for a distance of 200 metres seawards towards the Southern Ocean, as approved by the Governor under section 3.6 of the Act.*

Gazetted Governors approval is required before Council resolves to make the Local Law.

It was assumed that this approval was obtained in 2007 when the Local Law was first considered however it appears that this is not the case.

**Comment:**

A copy of the correspondence from the Standing Committee is attached.

Council is required to give an undertaking that it will not enforce Clause 1.6(b) and that the process to amend the Local Law to comply with Section 3.6 will be commenced.

**Consultation:**

The Local Law amendment will be advertise for public comment..

**Statutory Obligations:**

Nil

**Policy Implications:**

Nil

**Budget / Financial Implications**

Nil

**Strategic Implications**

Nil

**Sustainability Implications:**

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

**Voting Requirements**

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION      ITEM 10.4.16

MOVED: CR LANSDOWN

SECONDED: CR VAN DE VELDE

That in respect to the Shire of Ravensthorpe Local Government Property Local Law 2010 Council resolve not to enforce Clause 1.6(b) and commence the process to obtain Governors approval under Section 3.6 of the Local Government Act, 1995 and amend Clause 1.6(b), in accordance with Section 3.12 of the Local Government Act, 1995.

CARRIED 5/0

RES: 493/10

**10.4.17 POSITION OF DEPUTY CHIEF EXECUTIVE OFFICER**

<b>File Ref:</b>	Personal File
<b>Applicant:</b>	Not applicable
<b>Location:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	10 <sup>th</sup> August, 2010
<b>Author:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	None

6.19pm –Kobus Nieuwoudt and Evelyn Arnold left the meeting.

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.17
MOVED: CR GOLDFINCH	SECONDED: CR VAN DE VELDE
That: Council sit behind closed doors to consider item 10.4.17.	
CARRIED 5/0	RES: 494//10

**Summary:**

The position of Deputy Chief Executive Officer has been advertised and interviews conducted.

This report recommends an appointment to the position.

**Background:**

The recruitment process was undertaken in house. Four applicants were interviewed by the Chief Executive Officer with the Shire President and Cr Lansdown participating in the interview process.

**Comment:**

Selection interviews resulted in a unanimous recommendation to appoint \_\_\_\_\_.

A confidential copy of \_\_\_\_\_ application and proposed contract will be provided to councillors at this meeting.

\_\_\_\_\_ is prepared to commence work \_\_\_\_\_ from appointment.

**Consultation:**

Not applicable

**Statutory Obligations:**

The position of Deputy Chief Executive Officer is a designated Senior Officer in terms of Section 5.37 (1) & (2) and section 5.39 of the Local Government Act 1995.

**Section 5.37 (1):**

*"A local government may designate employees or persons belonging to a class of employee to be senior employees."*

**Section 5.37 (2)**

*"the CEO is to inform the Council of each proposal to employ or dismiss a senior employee and the Council may accept or reject the CEO's recommendation but if the Council rejects a recommendation, it is to inform the CEO of the reasons for its doing so."*

**Section 5.39:**

*"The employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section."*

For a permanent position the term of the contract cannot exceed 5 years.

The Local Government Act also states that a contract is renewable.

**Policy Implications:**

Nil

**Budget / Financial Implications:**

Advertising - \$3,000 approximately

Employment conditions are in accordance with the contract.

**Strategic Implications:**

Nil

**Sustainability Implications:**

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

**Voting Requirements:**

Simple majority.

*Chief Executive Officer advised that the preferred candidate has withdrawn his application. The Chief Executive Officer recommended that an appointment not be made at this stage.*

**OFFICER RECOMMENDATION**

ITEM 10.4.17

That \_\_\_\_\_ be appointed to the position of Deputy Chief Executive Officer on the terms and conditions as outlined in the draft contract of employment.

**COUNCIL DECISION AND OFFICER RECOMMENDATION**

ITEM 10.4.17

MOVED: CR FIELD

SECONDED: CR VAN DE VELDE

That an appointment to the position of Deputy Chief Executive Officer not be made at this time.

CARRIED 5/0

RES: 495/10

**COUNCIL DECISION AND OFFICER RECOMMENDATION**

ITEM 10.4.17

MOVED: CR VAN DE VELDE

SECONDED: CR TOWNSEND

That Council come out from behind closed doors.

CARRIED 5/0

RES: 496/10

- 11. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**  
Nil
- 12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
  - 12.1 ELECTED MEMBERS**  
Nil
  - 12.2 OFFICERS**  
Nil
- 13. MATTERS BEHIND CLOSED DOORS**  
Nil
- 14. CLOSURE OF MEETING – 6.35pm**

These minutes were confirmed at the meeting of the \_\_\_\_\_

**Signed:** \_\_\_\_\_  
(Presiding Person at the meeting of which the minutes were confirmed)

**Date:** \_\_\_\_\_