



## **MINUTES**

of the Council Meeting held on

Monday 18 July, 2011  
commencing at 5 p.m.

in the Council Chambers, Ravensthorpe.

**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, RAVENSTHORPE**  
**ON 18 July, 2011 COMMENCING AT 5PM.**

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**1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

5.02pm - Presiding Person, Cr Ian Goldfinch, declared the meeting open.

**2. ATTENDANCE / APOLOGIES/ APPROVED LEAVE OF ABSENCE**

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

STAFF: Pascoe Durtanovich (Chief Executive Officer)  
 Evelyn Arnold (Manager Finance and Administration)  
 Craig Pursey (Manager Planning and Development)  
 Jenny Rutter (Executive Assistant)

APOLOGIES:  
 Brent Bailey (Deputy Chief Executive Officer)

ON LEAVE OF ABSENCE:  
 Nil

ABSENT:  
 Nil

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

Nil

**4. PUBLIC QUESTION TIME**

Nil

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

Nil

**6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS**

Nil

**7. CONFIRMATION OF MINUTES**

**7.1 COUNCIL MEETING – 23 June, 2011**

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 7.1
Moved: Cr Tilbrook	Seconded: Cr Lansdown
That the minutes of the meeting of Council held on 23 June, 2011 be confirmed as a true and correct record of proceedings.	
Carried: 7/0	Res: 143/11

**8. SUSPENSION OF STANDING ORDERS**

COUNCIL DECISION AND OFFICER RECOMMENDATION ITEM 8  
 Moved: Cr Dunlop Seconded: Cr Field  
 That all Standing Orders be suspended for the remainder of the agenda items to enable detailed discussion, Councillors’ questions and briefing by staff on the agenda items in accordance with Council’s policy that the meeting on the third Monday of each month is a briefing/discussion meeting only and no decisions will be made on agenda items at this meeting. Decisions on the agenda items listed will be made at the meeting on the following Thursday.  
 Carried: 7/0 Res: 144/11

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

Nil

**10. REPORTS OF OFFICERS**

**10.1 Manager - Finance and Administration**

**10.1.1 FINANCIAL STATEMENT FOR THE PERIOD ENDING 30<sup>th</sup> JUNE 2011**

**File Ref:**  
**Applicant:** Not applicable  
**Location:** Not applicable  
**Disclosure of Officer Interest:** None  
**Date:** 13<sup>th</sup> July 2011  
**Author:** Evelyn Arnold – Manager Finance & Administration  
**Authorising Officer:** Not applicable  
**Attachments:** Yes – Financial Statements

**Summary:**

The attached financial statement provides details of the Council’s financial activities for the period ending 30<sup>th</sup> June 2011.

**Background:**

Nil.

**Comment:**

Nil.

**Consultation:**

Not applicable.

**Statutory Obligations:**

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

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

**Policy Implications:**

There are no policy implications.

**Budget / Financial Implications:**

Details as per attached reports.

**Strategic Implications:**

Nil.

**Sustainability Implications:**

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

**Voting Requirements:**

Simple majority.

OFFICER RECOMMENDATION	ITEM 10.1.1
<p>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 Report for the period ended 30<sup>th</sup> June 2011 be accepted.</p>	

*Nil*

<b>10.1.2 ACCOUNTS FOR PAYMENT – MONTH ENDING 30<sup>th</sup> JUNE 2011</b>
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<b>File Ref:</b>	
<b>Applicant:</b>	Not applicable
<b>Location:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	12 <sup>th</sup> July 2011
<b>Author:</b>	Evelyn Arnold – Manager, Finance & Administration
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	Yes – list of accounts

**Summary:**

The list of accounts paid during the month ending 30<sup>th</sup> June 2011 is 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.

**OFFICER RECOMMENDATION** ITEM 10.1.2

That pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996, the payment of accounts for the month of June 2011, be noted.

*Nil*

**10.1.3 LEHMAN BROTHERS INVESTMENT REPORT REVIEW**

**File Ref:**

**Applicant:** Not applicable

**Location:** Not applicable

**Disclosure of Officer Interest:** None

**Date:** 12<sup>th</sup> July 2011

**Author:** Evelyn Arnold – Manager Finance & Administration

**Authorising Officer:** Not applicable

**Attachments:** Yes – Report from Structured Credit

**Summary:**

This report recommends that Council rescind resolution Res: 103 /11 and adopt the new recommendation giving the Chief Executive Officer delegated authority to sell each of the remaining investments individually as market conditions allow.

**Background:**

From 2005 to 2007 Council invested in a series of financial instruments held by Lehman Brothers Merchant Bankers. The global economic crisis resulted in the value of these investments being eroded. The investments are detailed below:

Investment Name	Amount Invested	Date Lodged	Maturity Date	Interest Received	Mid Price Value
Series 2005-5 Blue Gum (Municipal Investment No.3) Reference No. G61425	\$ 500,000.00	9-Nov-05	22-Jun-13	\$ 8,421.86	\$ -
Helium Capital Limited Series 64 Scarborough FRN Reference No. G64106	\$ 500,000.00	25-May-06	23-Jun-14	\$ 25,153.57	\$ 25,000.00
Zicron (Merimbula)	\$ 500,000.00	6-Jun-07	20-Jun-13	\$ 0.00	\$ 150,000.00
Omega Capital Investments PLC Series 40 Class A Henley Reference No G64709	\$ 600,000.00	20-Dec-06	22-Jun-12	\$ 28,071.75	\$ 420,000.00
	<b>\$ 2,100,000.00</b>			<b>\$ 61,647.18</b>	<b>\$ 595,000.00</b>

**Comment:**

The Mid Price Value represents a possible market value. However, the market for the investments is still very volatile and therefore subject to significant fluctuations. If this return was possible this would represent a recovery of 28%

of the original face value of the investment. Of the investments held two continue to earn a coupon (interest); they are Scarborough and Henley.

**Consultation:**

Nil.

**Statutory Obligations:**

Nil.

**Policy Implications:**

There are no policy implications.

**Budget / Financial Implications:**

These investments have already been written down in the accounts, so any recovery of capital will be a wind fall for Council. In addition, this eliminates the need for the auditors to have a qualifying statement in their report for the 2011/12 year.

**Strategic Implications:**

Nil

**Sustainability Implications:**

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

**Voting Requirements:**

Absolute majority.

OFFICER RECOMMENDATION (1)	ITEM 10.1.3
That Res 103/11 of the meeting 23 June, 2011 be rescinded.	

OFFICER RECOMMENDATION (2)	ITEM 10.1.3
<ol style="list-style-type: none"> <li>1. That Council delegate authority to the Chief Executive Officer to investigate and negotiate the “Omega, Henley A” for a minimum return of ____%.</li> <li>2. That Council delegate authority to the Chief Executive Officer to investigate and negotiate the “Merimbula” for a minimum return of ____%.</li> <li>3. That Council delegate authority to the Chief Executive Officer to investigate and negotiate the “Helium Capital Limited Scarborough” for a minimum return of ____%.</li> </ol>	

*Discussion*



## 10.2 Manager of Planning and Development

### 10.2.1 PROPOSED EXHIBITION CENTRE AND OPEN-SIDED OUTBUILDINGS FOR DISPLAY OF VINTAGE MACHINERY No. 84 (LOT 784) cnr. MORGAN & ANDRE STREETS, RAVENSTHORPE

**File Ref:**

**Applicant:**

Ravensthorpe Historical Society

**Location:**

Morgans/Andre Streets

**Disclosure of Officer Interest:**

None

**Date:**

7 July 2011

**Author:**

Phil Shephard (Planning Officer – Casual)

**Authorising Officer:**

Pascoe Durtanovich – Chief Executive Officer

**Attachments:**

Site Plan - Outbuilding & Site Elevations Plan

### Summary

To consider a proposal to use the above land to store vintage machinery for display and construct 2 open-sided outbuildings on the above property as shown on the attached plans.

It is recommended that the application be approved subject to conditions.

### Background

The proposed outbuildings are to be used by the local museum community group for the storage and display of vintage machinery from the district. The plans show retaining walls (between 740mm – 1,110mm in height) to be constructed and ramp and picket style fencing (900mm high) to be completed to the site.

The Scheme does not prescribe any development standards for this type of development and Council is required to determine those standards accordingly to be placed as condition on the approval.

### Comment

The proposed use of the land and outbuildings is consistent with the land use class 'exhibition centre' which means premises **used for the display of materials of an artistic, cultural or historical nature, and includes a museum or art gallery** and may include sales of such items (emphasis added). This a permitted use within the Town Centre zone.

The proposed open-sided outbuildings will have a combined floor area of 640m<sup>2</sup> comprising a:

- 40m<sup>2</sup> outbuilding (10m x 4m) fronting Morgan Street and shown on the plans as the Sulky Shed. The outbuilding will be constructed of steel frames. No details on the roof cladding colour has been provided.

The outbuilding will be setback 1.2m from the boundary to Morgans Street and 5m to the side boundary with Lot 1 and 5m to Andre Street.

The open-sided wall height is 2.4m and ridge height is 2.7m above ground level.

- 600m<sup>2</sup> outbuilding (40m x 15m) fronting Andre Street and shown on the plans as the Open Sided Machinery Shed. The outbuilding will be constructed of steel frames. No details on the roof cladding colour has been provided.

The outbuilding will be setback 2.5m from the boundary to Andre Street, 8m to the boundary to Morgan Street and 2.5m to the side boundary and 2.5m to the side boundary with Lot 1.

The open-sided wall height is 3.6m and ridge height is 4.6m above ground level.

The outbuildings, even with being open-sided, will dominate the site given their height, size and bulk and represents site coverage of 63%. The use of the smaller outbuilding at the frontage to Morgan Street to conceal the larger one along Andre Street is appropriate. The fig tree on Andre Street is an important part of the existing verge and streetscape and its retention should be reinforced through conditions on the development. Additional landscaping of 10% of the site is recommended to assist reduce the visual impression of the building when viewed from along the adjoining streets.

The proposed site works with retaining walls and ramps will improve overall accessibility to the site. The site has good access to the existing pedestrian footpath along Morgan Street. Access/egress to the site for vehicles and parking should be restricted to Andre Street with pedestrian access/egress acceptable from Morgan Street.

The site is adjacent to the existing Museum site offers a good location to generate interest in the display and capitalise on the visitors to the centre. It will also assist in generating opportunities for other businesses as it keeps visitors in the town for longer and creates an additional point of interest.

Schedule 13 'Car Parking Standards for Commercial, Public and Community and Industrial Uses' requires car parking for exhibition centres to be provided at a ratio of 1 bay per 20m<sup>2</sup> net lettable area. Given that the proposal does not include a 'commercial' aspect to the display; it is recommended that Council set the required parking at 1 per employee/volunteer (or a maximum of say 5 bays) which is expected to be able to be accommodated on-site.

Should Council be concerned with precedent or future uses of the outbuildings by others, Council may wish to consider setting the period for which approval is granted (c.10.6) and could grant it for the period until the proponents vacated the site.

In summary, given the unique nature of the proposal being to use open-sided outbuildings as a museum displaying vintage machinery and that the proponents are a community group formed for that purpose, it is considered appropriate that approval be granted subject to conditions.

The options available to Council in dealing with this application include:

- a) Defer the application and seek additional information if required;
- b) Defer the application and undertake consultation on the proposal;
- c) Support the application (in part or whole) and approve the application, with or without conditions; or
- d) Refuse the application and give reasons.

**Statutory Obligation:**

The Shire of Ravensthorpe Town Planning Scheme No. 5 is an operative local planning scheme under the *Planning and Development Act 2005*.

The land is zoned Town Centre. The objectives (c.4.2) of the Town Centre zone are:

*To provide for retail shopping, office and commercial development and social, recreational and community activities servicing the town as a whole.*

The proposed use of the outbuildings is consistent with the land use class 'exhibition centre' which is defined (Schedule 1) as:

*means premises used for the display of materials of an artistic, cultural or historical nature, and includes a museum or art gallery and may include sales of such items.*

An 'exhibition centre' is a 'P' permitted use in the Town Centre zone (Zoning Table & Use Classes). A permitted use (c.4.3.2) means:

*That the use is permitted by the Scheme providing the use complies with the relevant development standards and requirements of the Scheme.*

The Scheme does not contain any specific site or development standards as set out in Table 1 Development and Car Parking Standards. Clause 5.7.2 requires:

*Where requirements for a particular use are not noted within Table 1, the development shall conform to the requirements for the predominant use of the zone in which it is situated as determined by the Local Government. Where the Local Government considers such requirements are inappropriate the Local Government may determine other requirements having due regard to streetscape, amenity and the merit of the proposal.*

The proposed open-sided outbuildings are not exempt from planning approval (c.8.2) and the proponents are therefore required to obtain planning approval.

Council is required to consider the proposal against the criteria set out in Clause 10.2. Clause 10.2 'Matters to be Considered by Local Government' (which contains 28 separate matters) of which those considered relevant to this application are as follows:

- a) *The aims and provisions of this Scheme and any other relevant town planning scheme(s) operating within the Scheme Area;*
- b) *The Local Planning Strategy;*
- c) *The requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;*
- j) *The compatibility of a use or development within its setting;*
- k) *Any social issues that have an effect on the amenity of the locality;*
- l) *The cultural significance of any place or area affected by the development;*

- n) *Whether the land to which the application relates is unsuitable for the proposal by reason of it being, or likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire or any other risk;*
- o) *The preservation of the amenity of the locality;*
- p) *The relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;*
- q) *Whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;*
- r) *The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
- v) *Whether adequate provision has been made for access by disabled persons;*
- w) *Whether adequate provision has been made for landscaping of the land to which the planning application relates and whether any trees or other vegetation on the land should be preserved;*
- bb) *Any other planning consideration the Local Government considers relevant.*

The proposal is considered compliant with the relevant matters to be considered and may be approved subject to conditions to impose relevant standards on the use and development of the land.

**Policy Implications:**

Nil

**Budget /Financial Implications:**

The applicant is required to pay the appropriate planning application fee as determined under the 2010/2011 Schedule of Fees and Charges

Should Council refuse the application or place a condition that is unacceptable to the applicant, they may decide to appeal the matter to the State Administrative Tribunal. As such, there would be costs to defend an appeal and the amount of those costs cannot be determined at this time.

If Council wished to undertake any consultation on the proposal, those costs would be met out of the existing 2010/2011 Department 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**

Simple Majority.

**OFFICER RECOMMENDATION****ITEM 10.2.1**

That Council grant Planning Approval for the proposed 'Exhibition Centre' use and development of 2 Open-Sided Outbuildings on No. 84 (Lot 784) cnr. Morgan & Andre Streets, Ravensthorpe subject to the following conditions:

- 1) The development to be in accordance with the attached stamped approved plans and where marked in red.
- 2) The outbuilding roofs to be clad in a suitably coloured (brown or green tonings) material to the satisfaction of the Chief Executive Officer.
- 3) The stormwater from the outbuildings to be disposed of on-site, unless discharge to the Shire's drainage network in the street has been approved by the Chief Executive Officer.
- 4) The proponents providing written undertaking to the satisfaction of the Chief Executive Officer agreeing to assist maintain the existing fig tree on Andre Street and that it will be protected from all future works and impacts.
- 5) The proponents undertaking landscaping of 10% of the site (being 100m<sup>2</sup>) in accordance with a Landscape Plan prepared by the proponents and approved by the Chief Executive Officer.
- 6) The proposed site works, retaining walls and ramp shall be require Shire approval before commencing and the retaining walls and ramp require a Building Licence to be issued prior to construction commencing.
- 7) Vehicle access/egress to the site shall be from Andre Street only and any proposed crossover shall be located, designed and constructed to the satisfaction of the Chief Executive Officer.
- 8) Pedestrian access/egress to the site is permitted from Morgan Street.
- 9) The proponents showing that car parking bays can be provided on-site at the rate of 1 bay per employee/volunteer (or a maximum of 5 bays).
- 10) The pronents achieving acceptable standards for access to the site and buildings by disabled persons.
- 11) Any signs require separate planning approval to be granted.

**Advice Notes:**

- i) In relation to condition 5) above, the Landscape Plan shall incorporate appropriate local tree and shrub species and provide details on the means for maintaining the plantings through to maturity (3 years from planting). The design of the landscaping shall aim to reduce the bulk and size of the outbuildings when viewed from the adjoining streets.

*Discussion*

**10.2.2 PROPOSED AMALGAMATION LOTS 470 – 485 & 731  
MORGANS/NEIL/SPENCE/DANCE STREETS, RAVENSTHORPE.****File Ref:**

<b>Applicant:</b>	Harley Global Pty Ltd
<b>Location:</b>	Morgans/Neil/Spence/Dance Streets
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	27 June 2011
<b>Author:</b>	Phil Shepherd - (Planning Officer – Casual)
<b>Authorising Officer:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Attachments:</b>	Plan of Subdivision

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**Summary**

To consider a proposal to amalgamate the above properties into 1 lot as shown on the attached plan of subdivision.

It is recommended that the application be supported.

**Background**

The subdivision proposal has been referred by the Western Australian Planning Commission (WAPC) to Council with a request for any information, comment or recommended conditions that Council seek to have the Commission consider in assessing the application.

Council is reminded that all applications for subdivision/amalgamation are submitted to, and determined by, the WAPC in consultation with relevant stakeholders (State Government bodies and Local Government). The WAPC provides forty-two (42) days for comments to be received from stakeholders. It is the WAPC's decision to act on any advice or recommendation received from a referral.

**Comment**

The applicants have advised that the purpose of the amalgamation is to consolidate the lots for the purpose of 'light and service industry' uses. The lots contain the existing CBH facilities in Ravensthorpe.

The proposed amalgamation will combine the existing 16 smaller lots (ranging from 1,011m<sup>2</sup> - 1,214m<sup>2</sup> in areas) and existing central laneway (809m<sup>2</sup>) into 1 lot of approximately 1.8566ha.

The land is zoned Light and Service Industry under Town Planning Scheme No. 5 and the objectives for the zone (Clause 4.2 of the Scheme) are to provide for light and service industries and associated uses which are compatible with adjacent residential uses.

Any change to the use and/or further development of the land will require planning approval under the Scheme.

The options available to Council in dealing with this application include:

- a) Not support the application and give reasons; or
- b) Support the application, with or without conditions.

**Statutory Obligation**

The Shire of Ravensthorpe Town Planning Scheme No.5 is an operative local planning scheme under the *Planning and Development Act 2005*.

The use of land in the Light and Service Industry zone shall be consistent with the objectives for the zone (Clause 4.2 of the Scheme):

*To provide for light and service industries and associated uses which are compatible with adjacent residential uses.*

There are no minimum lot sizes stated for the Light and Service Industry zone in the Scheme.

**Policy Implications**

Nil

**Budget /Financial Implications**

Nil. All costs in completing the amalgamation conditions are to be met by the subdivider.

**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.

OFFICER RECOMMENDATION	ITEM 10.2.2
<p>That Council advise the WA Planning Commission that it supports the proposed amalgamation of Lots 470 – 485 &amp; 731 Morgans/Neil/Spence/Dance Streets, Ravensthorpe as shown in WAPC File 144399 free of conditions on the basis that:</p> <ol style="list-style-type: none"> <li>1) It is consistent with the Light and Service Industry zoning of the land under Town Planning Scheme No. 5; and</li> <li>2) Will provide for a single lot containing all of the existing CBH Ltd operations.</li> </ol>	

Nil

**10.2.3 PROPOSED OVERSIZE OUTBUILDING LOT 639 ACACIA DRIVE,  
HOPETOON****File Ref:**

<b>Applicant:</b>	J Dow & N Webber
<b>Location:</b>	Lot 639 Acacia Drive
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	23 June 2011
<b>Author:</b>	Phil Shephard (Planning Officer – Casual)
<b>Authorising Officer:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Attachments:</b>	Outbuilding Plan Site Plan Email from J Dow

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**Summary**

To consider a proposal to construct an oversize outbuilding on the above property as shown on the attached plans. The applicants have included their grounds supporting a relaxation of the Scheme and Policy as set out in the attached correspondence.

It is recommended that the application be refused.

**Background**

The proposed outbuilding does not comply with the certain requirements set out in Town Planning Scheme No. 5 (TPS5) and Local Planning Policy TP5 'Outbuildings in the Rural Conservation and Rural Small Holding Zone' (TP5).

All variations to Scheme or Policy requirements are required to be submitted to Full Council for consideration.

**Comment**

The proposed outbuilding will have a floor area of 224m<sup>2</sup> and be constructed of steel frames and clad with 'grey or blue ash' colorbond metal sheeting to complement the new dwelling to be constructed. The wall height is 4m with the ridge height of 5.08m. It is proposed to be setback 5m from Acacia Drive.

The proposed outbuilding does not comply with:

- 1) The street front setback requirement of 25m in TPS5;
- 2) The maximum outbuilding size requirement of 150m<sup>2</sup> in TP5;
- 3) The maximum wall height requirement of 3.8m in TP5; and
- 4) The boundary setback requirement of 25m in TP5.

The applicants are now requesting permission to develop the outbuilding on the lot as set out in the attached plans and correspondence. They have not provided any letters showing any consultation with adjoining landowners to the proposal proceeding.

The land is contained within the Rural Small Holding Zone 3 and development of these lots is controlled by the provisions contained in Schedule 10 of TPS5.

The provisions for Rural Small Holding Zone 3 (Part 7 Setbacks) require:

*No building or structure shall be erected closer than:*



- 25m from a street frontage;
- 15m from a designated shelter belt;
- 15m from any other boundary;
- 50m from any boundary to the Hopetoun-Ravensthorpe Road.

The applicants seek a reduced setback of 5m from the street frontage (which represents 20% of the standard 25m requirement) for the reasons set out in the correspondence. They propose landscaping to reduce the visual impact of the outbuilding from the road.

The proposed siting of the outbuilding represents a substantial reduction to the standard setback. Council may consider negotiating with the landowners to achieve a modified setback (greater than 5m but less than 25m) in progressing the application. It is clear, that this property has frontage to 2 roads which creates an additional greater front setback to 2 boundaries than on other lots with only a single road frontage which would allow for a 15m side setback. In other Council's, some schemes would allow for a 50% reduction of the setback to the secondary street (say 12m) and this may represent a more appropriate setback or initial point to commence negotiations with the landowners if this option was to be pursued.

The development of the outbuilding is also covered by Local Planning Policy TP5 'Outbuildings in the Rural Conservation and Rural Small Holding Zone'.

The Policy Objectives (Part 3) of the Policy states:

*The primary objectives of this Policy are to:*

1. *Recognise the unique characteristics of rural residential development within the shire as it relates to outbuilding size and construction.*
2. *Provide Acceptable Development standards for outbuildings in rural residential areas.*

The Development Guidelines (Part 5) of the Policy requires:

**5.1 Floor Area**

*The following maximum floor area for a single outbuilding and the combined floor area for all outbuildings on a single lot will apply, dependent on the size of the lot:*

<b>Lot Size</b>	<b>Max Outbuilding Size</b>	<b>Max Combined Area of all Outbuildings</b>
<i>Under 2ha</i>	<i>150m<sup>2</sup></i>	<i>150m<sup>2</sup></i>
<i>2ha – 5ha</i>	<i>200m<sup>2</sup></i>	<i>200m<sup>2</sup></i>
<i>Over 5ha</i>	<i>250m<sup>2</sup></i>	<i>300m<sup>2</sup></i>

*Any outbuilding that does not meet the above floor area limitations will require the approval of full Council.*

**5.2 Height**

*A maximum wall height of 3.8 metres above natural ground level applies.*

*A maximum roof ridge height of 4.5 metres above natural ground level applies where outbuildings are proposed to be constructed up to a width of 10 metres or less.*

*Where outbuildings are proposed to be constructed to a wall height of 3.8 metres and to a width greater than 10 metres, a roof ridge height shall be assumed at a 10 degree pitch.*

*Any outbuilding that does not meet the above wall and ridge height limitations will require the approval of full Council.*

### 5.3 Boundary Setbacks

*All outbuildings shall employ the minimum setback distances as approved in the relevant Rural Conservation and Rural Small Holding Zone provisions in Schedules 9 and 10 respectively of the Scheme.*

The applicants seek approval for an oversize outbuilding of 224m<sup>2</sup> (increase of 50% of the requirement) with an increased wall height of 4m (increase of 5% of the requirement) and similarly reduced setback of 5m from the street frontage for the reasons set out in the correspondence. The floor area of the outbuilding represents approximately 1.2% of the lot area and is required due to the applicants desire to store equipment and possessions indoors.

Administration is required to submit any variations to Scheme or Policy requirements to Full Council for consideration.

Should Council wish to consider the reduced setback request, Clause 5.5 of TPS5 allows Council to vary Scheme requirements subject to certain conditions and can also require consultation with affected owners or occupiers prior to making a decision. The need for consultation with other landowners in the zone is an important component of considering the request if Council wishes to support the proposed reduced setback.

Regarding the Policy requirements relating to floor area and wall height, Council is not bound by these by virtue of Clause 2.3.2 of TPS5. If Council maintains its existing policy position, the application should be refused. In approving the application, Council may be setting a precedent for other similar applications within the zone to be received.

In all other respects, the proposed outbuilding complies with the requirements of the Scheme and Policy.

The options available to Council in dealing with this application include:

- a) Defer the application and consult with landowners in Rural Small Holding Zone 3 regarding the reduced front setback and oversized outbuilding;
- b) Support the application (in part or whole) and vary the Scheme and set aside the Policy requirements in this instance and approve the application, with or without conditions; or
- c) Refuse the application as it is inconsistent with the Scheme and Policy requirements.

There has now been a number of proposals for outbuildings in the last few months that have been brought to Council that do not comply with existing Policy TP5 requirements. These all suggest that Council should determine whether it is prepared to, or not, consider these types of applications, and then commence a review of the Policy accordingly.

### **Statutory Obligation:**

The Shire of Ravensthorpe Town Planning Scheme No. 5 is an operative local planning scheme under the *Planning and Development Act 2005*.

The objectives of the Rural Small Holding Zone are:

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

Clause 5.5 'Variations to Site and Development Standards and Requirements' states:

- 5.5.1 *Except for development in respect of which the Residential Planning Codes apply, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the Local Government may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Local Government thinks fit.*
- 5.5.2 *In considering an application for planning approval under this clause, where, in the opinion of Local Government, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is subject of consideration for the variation, the Local Government shall:*
- a) *Consult the affected parties by following one or more of the provisions for advertising uses pursuant to clause 9.4: and*
  - b) *Have regard to any expressed views prior to making its decision to grant the variation.*
- 5.5.3 *The power conferred by this clause may only be exercised if the Local Government is satisfied that:*
- a) *Approval of the proposed development would be appropriate having regard to the criteria set out in clause 10.2; and*
  - b) *The non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.*

As required by Clause 5.5.3, Council must satisfy itself that the proposed reduced 5m front setback is appropriate having regard to the criteria set out in Clause 10.2. Clause 10.2 contains 28 separate 'Matters to be Considered by Local Government' of which those considered relevant to this application are as follows:

- a) *The aims and provisions of this Scheme and any other relevant town planning scheme(s) operating within the Scheme Area;*
- b) *The Local Planning Strategy;*
- c) *The requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;*
- g) *Any Local Planning Policy adopted by the Local Government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the Local Government under the Scheme;*
- j) *The compatibility of a use or development within its setting;*
- k) *Any social issues that have an effect on the amenity of the locality;*
- n) *Whether the land to which the application relates is unsuitable for the proposal by reason of it being, or likely to*

- be, subject to flooding, tidal inundation, subsidence, landslip, bush fire or any other risk;*
- o) The preservation of the amenity of the locality;*
  - p) The relationship of the proposal to development on adjoin land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;*
  - w) Whether adequate provision has been made for landscaping of the land to which the planning application relates and whether any trees or other vegetation on the land should be preserved;*
  - z) Any relevant submissions received on the application;*
  - bb) Any other planning consideration the Local Government considers relevant.*

If Council wishes to support the proposal and intends to consult with landowners regarding the reduced setback before determining the proposal, the procedure requires that they be afforded 14-days to comment and Council must consider any views received prior to making its decision. That would mean that if submissions were received, these would be reported to Council for consideration at the following Council meeting.

TP5 'Outbuildings in the Rural Conservation & Rural Small Holding Zones' is an adopted Local Planning Policy under Part 2 of the Scheme. The powers of an adopted Policy are set out in clause 2.3 below:

- 2.3 Relationship of Local Planning Policies to Scheme*
- 2.3.1 If a provision of a Local Planning Policy is inconsistent with the Scheme, the Scheme prevails.*
- 2.3.2 A Local Planning Policy is not part of the Scheme and does not bind the Local Government in respect of any application for planning approval but the Local Government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.*

If Council intends to consider a review of the TP5, the procedure for reviewing the policy is the same process as adopting a new Policy and is likely to take approximately 3 months including the consultation phase, consideration of submissions etc.

#### **Policy Implications:**

The proposal does not comply with some aspects of the adopted TP5 policy as outlined in the report above. Administration has no discretion to vary the existing adopted Policy requirements.

#### **Budget /Financial Implications:**

The applicant has included the appropriate planning application fee as determined under the 2010/2011 Schedule of Fees and Charges

Should Council refuse the application and the applicant decide to appeal the matter to the State Administrative Tribunal, there would be costs to defend any appeal. The amount of those costs cannot be determined at this time.

The cost of undertaking any consultation with landowners and/or reviewing the existing policy would be met out of the existing 2010/2011 Department 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**

Simple Majority.

OFFICER RECOMMENDATION	ITEM 10.2.3
<p>1) That Council refuse the application for the development of an oversized Outbuilding and reduced front setback on Lot 639 Acacia Drive, Hopetoun on the basis that:</p> <p style="margin-left: 20px;">a) The floor area of the outbuilding exceeds the maximum floor area required by TP5 ‘Outbuildings in the Rural Conservation &amp; Rural Small Holding Zones’.</p> <p style="margin-left: 20px;">b) The proposed 5m front setback is a substantial reduction to the standard 25m front setback required by Town Planning Scheme No. 5 and insufficient justification has been provided to support the reduction.</p> <p>2) That Council advise the landowners that it may be prepared to support a proposal with a reduced front setback of between 12 - 15m for an outbuilding subject to consultation and general support from other landowners within Rural Small Holding Zone 3.</p>	

*Discussion*

**10.2.4 DRAFT LOCAL PLANNING POLICY – PUBLIC OPEN SPACE FOR SUBDIVISION OF 3 – 5 LOTS.**

<b>File Ref:</b>	
<b>Applicant:</b>	Not applicable
<b>Location:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	13 July 2011
<b>Author:</b>	Craig Pursey - Planning Officer
<b>Authorising Officer:</b>	P Durtanovich - Chief Executive Officer
<b>Attachments:</b>	Yes – Draft Local Planning Policy No 19

**Summary:**

Council is to consider final adoption of (Draft) Local Planning Policy No 19 – ‘Subdivision Requirements – Public Open Space’, with or without modifications.

The Policy has been advertised and no submissions have been received.

Support for the Local Planning Policy is recommended.

**Background:**

Council adopted Draft Local Planning Policy No 19 – ‘Subdivision Requirements – Public Open Space’ for the purpose of initiating public consultation in April 2011 (refer Item 12.2.1 – 21 April 2011). At this meeting Council resolved as follows:

*“That in accordance with Clause 2.4.1 of Town Planning Scheme No.5 adopts draft Local Planning Scheme Policy ‘Subdivision Requirements – Public Open Space’ and:*

- 1) Advertise the draft in the local newspaper for a period of 21 days for public inspection and comment; and*
- 2) Refer the draft policy to the WAPC/Department of Planning and Department of Sport and Recreation for comment.”*

**Comment:**

The purpose of the policy is to establish the requirements for public open space (POS) provision for subdivisions proposing to create 3-5 lots. It applies to all Residential zoned land that is subdivided or strata titled.

The primary objective of the policy is to ensure that sufficient POS is provided in areas of the Shire subject to infill subdivision.

The policy proposes that cash in lieu be taken and provided on a sliding scale of 5%-10% for 3-5 lots.

**Consultation:**

The Policy has been advertised in accordance with Clause 2.4.1 of the Shire of Ravensthorpe Local Planning Scheme No 5 (‘the Scheme’). It was also referred to the Department of Planning and Department for Sport and Recreation.

Advertising finished on the 10 June 2011 and no submissions were received.

**Statutory Obligations:**

Part 2 of the Scheme provides for the preparation of Local Planning Policies.

Clause 2.4.1 requires all Local Planning Policies to be advertised for a period of 21 days, and specifies methods available for advertising.

**Policy Implications:**

If adopted by Council the Policy will become an adopted Local Planning Policy under Town Planning Scheme No.5 and will apply to proposals for subdivision as set out in the Policy.

**Budget / Financial Implications:**

The cost of advertising and referral of the draft policy were met within the existing budget.

The Policy will support the application of conditions of subdivision requiring payment of cash in lieu for POS provision in smaller subdivisions. This should support the provision of POS in existing residential areas into the future.

**Strategic Implications:**

The Policy will act as a tool to guide future development.

**Sustainability Implications:**

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

**Voting Requirements:**

Simple Majority.

OFFICER RECOMMENDATION	ITEM 10.2.4
<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Adopt Local Planning Policy No 19 'Subdivision Requirements – Public Open Space' for final approval, pursuant to Clause 2.2 of the Shire of Ravensthorpe Town Planning Scheme No 5.</li> <li>2. Publish a public notice in an official newspaper circulating in the area to notify the public that Council has adopted Local Planning Policy No 19 and inform the Western Australian Planning Commission of the adoption of the Policy (in accordance with Clause 2.4.3 of the Shire of Ravensthorpe Town Planning Scheme No 5).</li> </ol>	

*Discussion*

**10.2.5 Proposed review of Town Planning Policy 5 – 'Outbuildings in the Rural Conservation & Rural Small Holding Zones'**

<b>File Ref:</b>	
<b>Applicant:</b>	Not applicable
<b>Location:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	13 July 2011
<b>Author:</b>	Craig Pursey, Planning Officer
<b>Authorising Officer:</b>	P Durtanovich (Chief Executive Officer)
<b>Attachments:</b>	Yes – Draft Revised Local Planning Policy No 5

**Summary:**

At the meeting of 23<sup>rd</sup> June 2011 Council decided to review Town Planning Policy 5 'Outbuildings in the Rural Conservation & Rural Small Holding Zones'.

This report reviews the existing Policy and recommends a number of minor changes.

If the revised Policy is generally supported by Council, it will be advertised for public comment.

On the close of advertising, a further report will be referred to Council to consider final adoption of the Policy.

**Background:**

At the meeting of 23<sup>rd</sup> June 2011 Council considered an application for an outbuilding on a vacant lot (Lot 516 Verrucosa Parade, Hopetoun) and resolved as follows:

*“That this Item be deferred pending a review of Town Planning Scheme Policy No. 5*

*Reasons for change to Officer Recommendation:*

*Council deferred this item so that the policy can be reviewed to ascertain that all aspects of the policy are relevant today.”*

Town Planning Policy No.5 was adopted in December 2005; it is presumed the Council had some doubt as to whether the policy was still relevant as it is almost six years old.

The existing Town Planning Policy sets out general requirements for the development of outbuildings in the Rural Conservation and Rural Small Holding zones and deals with matters such as:

- Outbuildings proposed on vacant lots;
- Maximum height and floor areas;
- Use of outbuildings;
- Setback requirements; and
- Materials and colours.

**Comment:**

Many of the clauses within the Policy reiterate existing controls that may be enforced through other legislation. Clauses referring to boundary setbacks, building envelopes, habitation and commercial use are covered in the Town Planning Scheme or by the Building Code of Australia (BCA). For instance, it is not possible to occupy an outbuilding for human habitation as they are Class 10a structures under the BCA. Dwellings are required to be Class 1a structures. Therefore failure to comply with this aspect of the BCA may lead to action by the Shire.

However, it is useful to replicate this information in the Policy to provide clarity to landowners, staff and Council by having one place for most relevant information. It recommended that these clauses be retained.

Aspects of the Policy that the Council has some discretion in are explored below.

***Size of Outbuildings***

Town Planning Policy 5 (TPP5) sets maximum floor areas and wall and roof heights to control the size of outbuildings. This assists in keeping the outbuildings to a domestic scale and contributes to the amenity and streetscape of an area. These controls are on a sliding scale allowing bigger outbuildings



on larger properties in recognition of the fact that development is generally further from neighbours and the street on larger lots.

The controls over the size of outbuildings in the Rural Conservation and Rural Small Holding zones are reasonably generous when compared to similar policies in other Shire's. Presumably this recognises the particular needs of the residents of the Shire for more storage.

It is proposed to retain the existing policy maximum outbuilding areas and heights.

#### ***Variations to the Policy***

Policies do not bind the local government but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

What could be more thoroughly explored in the Policy is what factors Council will consider when assessing the request for a variation to the Policy.

Currently, section 4.1 requires the applicant to lodge a written justification for the variation. This will then be examined against the Policies objectives and the likely impact on the amenity of the locality.

A draft amended Policy is attached to this report. Clause 4.1 is expanded and referral to neighbouring landowners where a variation is proposed is recommended.

#### ***Colours and Materials***

Clauses 5.5, 5.6 and 5.7 of the current Policy apply controls to the materials and colours used in the outbuildings. The existing Policy permits a variety of materials and colours including zincalume in certain circumstances. Many other Shire's prohibit the use of zincalume in these types of zones. However, these controls appear to be working and no change is proposed.

#### ***Ablutions in Outbuildings***

The existing Policy prohibits ablutions in outbuildings on vacant land, except where temporary accommodation has been approved by Council.

This provision supports requirements that outbuildings are not be used as dwelling but is flexible enough to accommodate legitimate use of the outbuilding. The clause is also recommended to be retained.

#### ***Outbuildings on Vacant Land***

The existing Policy allows for outbuildings on vacant land where:

- a. *“an application to construct a dwelling on the lot is made and approved prior to or at the same time as an application for the outbuilding is made; or*
- b. *a written undertaking is provided to build a residence within 2 years of the Outbuilding building licence being issued together with a bond of \$2,000. This bond is fully refundable upon approval of the building application for a residence on the same property.”*

It is assumed that this clause was included in the policy to prevent the development and occupation of outbuildings as primary residences within the Shire.

### Scheme Requirements & Definitions

Clause 5.8 of the existing Policy also reflects that fact that an outbuilding, by its very description, is considered ancillary or *part of* a dwelling or other land use. It is described as an 'out building' in the legislation and does not appear in the Zoning Table of the Scheme as an independent land use to be assessed separately to a dwelling. Outbuildings are ancillary to a dwelling and therefore technically part of a dwelling.

Therefore, Clause 5.8 of the existing Policy may be viewed as a concession to this requirement. It recognises that there are circumstances where there are practical, legitimate reasons for building an outbuilding prior to the dwelling being constructed. These reasons include storage of building materials securely out of the weather and out of sight.

Therefore when considering whether to keep clause 5.8 the clause needs to be viewed as a concession; and Council should consider how far it wishes to extend this concession.

### Options

There are a number of options available to Council regarding this matter. These include (but are not limited to):

- Relaxing the current position by allowing greater time periods in which to build the dwelling and/or applying different requirements to the two different zones;
- Retain the existing clauses; or
- Strengthen the existing clauses and prohibiting outbuildings on vacant land in any circumstances.

The option to permit outbuildings on vacant land is not provided as an option. A Town Planning Policy provision cannot override the Scheme. Clause 2.3.1 of the Scheme states:

*"If a provision of a Local Planning Policy is inconsistent with the Scheme, the Scheme prevails."*

Therefore it is suggested that it is not possible to approve an outbuilding on vacant land without somehow ensuring it is ancillary to a dwelling or other land use.

### Recommendation

Retention of the existing clause is recommended and acknowledgement that outbuildings may be part of an alternative land use should be included in the Policy.

Retention of the current clause is supported for the following reasons:

- It provides the right balance between ensuring a dwelling will be constructed and allowing some flexibility for legitimate exceptional circumstances;
- It makes sure that people are committed to constructing a dwelling; and
- It helps police the issue of people occupying dwellings upfront.

If suitable controls are not put in place upfront to discourage people from illegally constructing outbuildings on vacant land, there is a threat that the amenity of the Shire's rural residential areas may be affected. The current controls make it clear that people are to construct a dwelling rather than only

an outbuilding that may only end up being used as a weekender. A proliferation of outbuildings being used as 'weekenders' may not encourage quality development in the Shire's rural residential areas.

However, in some circumstances, there are other legitimate land uses (available in the Rural Small Holding zone but not the Rural Conservation zone) that may require a shed but not necessarily a dwelling. The land uses *rural pursuits*, *agriculture- intensive* and *agriculture- extensive* are discretionary uses in the Rural Small Holding zone and Council must consider applications for these land uses on their merit.

These land uses are defined in the Scheme as follows:

***“agriculture – extensive”*** means premises used for the raising of stock or crops but does not include agriculture - intensive and animal husbandry - intensive.

***“agriculture – intensive”*** means premises used for trade or commercial purposes, including outbuildings and earthworks, associated with the following:

- a) the production of grapes, vegetables, flowers, exotic and native plants, fruit and nuts;
- b) the establishment and operation of plant and fruit nurseries;
- c) the development of land for irrigated fodder production and irrigated pasture (including turf farms); or
- d) aquaculture.

***“rural pursuit”*** means any land or buildings used for-

- a) The rearing or agistment of animals;
- b) The stabling, agistment or training of horses;
- c) The growing of trees, plants, shrubs or flowers for replanting in domestic, commercial or industrial gardens; or
- d) The sale of produce grown solely on the lot;

*But does not include agriculture – intensive or agriculture – extensive.*

These land uses are discretionary in the *Rural Small Holding* zone but Not Permitted in the *Rural Conservation* zone.

Therefore, where a legitimate planning application is lodged for one of the above land uses the Council must assess an application for an outbuilding on vacant land as part of this land use. Therefore it is recommended that a revised Policy acknowledge this distinction.

### **Conclusion**

It is recommended that the existing Policy is largely retained with the following exceptions:

- Additional clauses added to clarify what Council would assess any proposed variation against;
- Clarification added that outbuildings are considered ancillary to a dwelling or other land use; and
- Consider outbuilding applications lodged as part of another land use such as a rural pursuit or intensive agriculture appropriately.

### **Consultation:**

Nil

**Statutory Obligations:**

The Shire of Ravensthorpe Town Planning Scheme No.5 is an operative local planning scheme under the *Planning and Development Act 2005*. Part 2 ‘Local Planning Policy Framework’ of the Scheme controls local planning policies.

Clause 2.4.1 requires upon adoption of a draft policy, Council is required to:

- a) Publish a notice of the proposed Policy for 2 consecutive weeks in a local newspaper giving details of the policy and inviting submissions for a minimum of 21 days; and
- b) May publish the notice in other manners and consult with others.

Council is then required to consider any submissions received from the advertising of the draft policy and resolve to modify or not proceed with the policy.

**Policy Implications:**

If adopted by Council the Policy will become an adopted Local Planning Policy under Town Planning Scheme No.5 and will apply to proposals for outbuildings in the Rural Small Holding and Rural Conservation zones as set out in the Policy.

**Budget / Financial Implications:**

The cost of advertising and referral of the draft policy will be met within the existing budget.

**Strategic Implications:**

The Policy will act as a tool to guide future development.

**Sustainability Implications:**

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

**Voting Requirements:**

Simple Majority.

OFFICER RECOMMENDATION	ITEM 10.2.5
<p>That Council,</p> <ol style="list-style-type: none"> <li>1) In accordance with Clause 2.4.1 of Town Planning Scheme No. 5 adopts the draft revised Local Planning Scheme Policy ‘Outbuildings in the Rural Conservation &amp; Rural Small Holding Zones’ and:</li> <li>2) Advertise the draft in the local newspaper for a period of 21 days for public inspection and comment.</li> </ol>	

*Discussion*

**10.2.6 PROPOSED OVERSIZE OUTBUILDING LOT 16 BLUE VISTA, HOPETOUN**

<b>File Ref:</b>	13.0.0.BLU63
<b>Applicant:</b>	Peter & Leslie Fawkes
<b>Location:</b>	Lot 16 (#63) Blue Vista, Hopetoun
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	14 <sup>th</sup> July 2011
<b>Author:</b>	Craig Pursey, Planning Officer
<b>Authorising Officer:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Attachments:</b>	Outbuilding Plans & justification letter from applicant

**Summary:**

Council is to consider an application for an additional outbuilding at Lot 16 (#63) Blue Vista, Hopetoun. There are two existing outbuildings with a combined floor area of 156m<sup>2</sup>; the proposed outbuilding is 220m<sup>2</sup> in area.

The application involves a variation to the maximum combined floor area under Town Planning Policy 'Outbuildings in the Rural Conservation and Rural Small Holding Zone'.

It is recommended that the application be conditionally approved.

**Background:****Site Description**

Lot 16 (#63) Blue Vista, Hopetoun (Lot 16) is 6.2335ha in area and developed with a small dwelling and two existing outbuildings. These outbuildings consist of an 84m<sup>2</sup> open sided machinery shed and a 72m<sup>2</sup> 'tool shed'. The remainder of the site has a dam and is used for small scale hobby farming with the keeping a variety of animals.



*Aerial photo of Lot 16 Blue Vista (edged in black), taken in 2007 prior to completion of the existing development on the site (LandGate)*

**Zoning**

The property is zoned ‘Rural Small Holding Area No 1’ under the Shire of Ravensthorpe Town Planning Scheme No 5 (“the Scheme”).

**Comment:**

**Application**

An application has been lodged for an additional outbuilding at Lot 16 Blue Vista, Hopetoun. The proposed outbuilding is 220m<sup>2</sup> in area, has a wall height of 2.4m and a roof height of 3.56m. There are two existing outbuildings on the site bringing the total combined floor area of all outbuildings on the site to 376m<sup>2</sup>.

Additional landscaping around the perimeter of the outbuilding and along the boundary of the property is proposed to screen the outbuilding from the street and neighbouring properties.

The applicant has lodged a supporting letter providing some justification for the additional floor space required, a copy is attached to this report. The applicant has stated that the larger floor area is required for the following reasons:

- The applicant runs a first aid training business and needs to store expensive training equipment securely, out of the weather and in a vermin proof environment. The equipment includes computers, defib machines, manikins, etc.
- There is also a need to store a considerable amount of craft equipment. The outbuilding would be used as a place to do arts and crafts as well.
- There is no room for the equipment described in the existing house (too small) or the tool shed (too small and not vermin proof).
- The tool shed would then be used for storage of tools and as a workshop.
- The new outbuilding would be used for the storage of the first aid training associated materials and for crafts.
- The applicant’s have a long term goal of opening an art and craft business and a small animal petting operation. This is not part of this application, but informs the long term need for the outbuilding.
- Lot 16 is not on scheme water and needs to provide all of its own water for domestic and rural pursuits. Rainfall over the last few years has seen the applicant trucking water to the site. The outbuilding provides the opportunity for additional roof catchment.

**Scheme Requirements**

There are specific provisions applicable to the ‘Rural Small Holding’ zone and Council can have regard for matters such as colours, materials, building height and bulk, architectural design, relationship to surrounding development and bush fire control.

General compliance with the Scheme is summarised below;

Clause	Summary	Comment	Compliance
Schedule 10 Part 2.	It is the landowner’s responsibility to install and supply their own	The applicant has stated that they require additional roof catchment	Support for this aspect of the proposal is

	water. Reference should be made to the Department for Agriculture (DAFWA) Guidelines for water storage.	to satisfy their water needs. Assessment against DAFWA guidelines would suggest that additional roof area is required given the annual rainfall.	recommended but no evidence has been supplied for how much roof area is required.
Schedule 10 Part 8.	Setbacks. No buildings should be constructed closer than 25m to the front boundary and 15m from any other boundaries.	The outbuilding is proposed 100m from the front boundary and 15m from the side.	Complies.

**Town Planning Policy ‘Outbuildings in the Rural Conservation and Rural Small Holding Zone’**

Council adopted Town Planning Policy No 5 for final approval in December 2005.

The Policy Objectives (Part 3) of the Policy states:

*The primary objectives of this Policy are to:*

1. *Recognise the unique characteristics of rural residential development within the shire as it relates to outbuilding size and construction.*
2. *Provide Acceptable Development standards for outbuildings in rural residential areas.*

The details of the Policy then set out what sort of development is generally considered to achieve this objective. However, it is important that Council recognises that the Policy is a guideline only and each application still needs to be based on its individual merit. The main consideration in examining the proposed outbuilding is the impact of the proposed increase in accumulative floor area on the visual amenity of the locality and streetscape.

The table below summarises the applicable requirements.

	<b>Maximum Wall Height (metres)</b>	<b>Maximum Height (metres)</b>	<b>Ridge</b>	<b>Maximum floor area (aggregate)</b>
Requirements for Rural Small Holdings over 5ha lot size	3.8	4.5m		250m <sup>2</sup> (300m <sup>2</sup> )
Proposed	2.4	3.56		220m <sup>2</sup> (376m <sup>2</sup> )

The proposed outbuilding complies with the permissible wall/roof height and floor area for a single outbuilding. However it seeks a variation on the maximum combined floor area.

Given the accumulative large floor area of the proposed outbuilding the applicant was approached with a view to reducing the size of the outbuilding.

Due to a breakdown in communication the applicant has already purchased the outbuilding and a reduction in floor area was not possible at this late stage.

Part 4 of the Policy states:

*“Where an outbuilding is proposed that does not meet one or more requirements of this Policy, a written justification of the variation to the Policy sought is required to be lodged for consideration together with the Application.*

*Council will take into account the following matters when considering granting approval to a development that varies a provision of this Policy:*

- *Consistency with the primary objectives of this Policy; and*
- *the likely impact on the amenity of the locality and adjoining properties.*

*Where Council considers the proposed variation will adversely impact on the amenity of the locality and adjoining properties, it may place conditions on the approval to ensure the development complies with this Policy or refuse the application outright.”*

Council has the option to approve the application with conditions or refuse the application.

Whilst the proposal exceeds the maximum combined floor area recommendations of the Policy, support is recommended for the proposed outbuilding as there would appear to be little impact on the adjoining properties and locality. This is supported by the following reasoning:

- Additional landscaping is proposed both along the property boundary and next to the outbuilding;
- The outbuilding is a reasonable distance from most nearby development;
- The lot is at the end of a cul-de-sac and is not exposed to high levels of passing traffic;
- The proposed outbuilding has reasonably low wall height and roof height and appears to be domestic in scale. The narrow end of the outbuilding is presented to the cul-de-sac head.
- The requirement for additional water catchment is acknowledged given the number of domestic animals and house needs;
- The applicant has demonstrated reasonable need for the additional floor area;
- Although not approved, the land uses of craft workshop and animal Establishment can be considered by Council in the future in this zone; and
- The outbuildings are spread across the site, softening their impact when viewed from the street.

**Consultation:**

Nil

**Statutory Obligations:**

The Shire of Ravensthorpe Town Planning Scheme No.5 is an operative local planning scheme under the Planning and Development Act 2005.



The present policy 'Outbuildings in the Rural Conservation & Rural Small Holding Zones' is an adopted policy under Part 2 of the Scheme. The powers of an adopted policy are set out in clause 2.3 below:

*2.3 Relationship of Local Planning Policies to Scheme*

*2.3.1 If a provision of a Local Planning Policy is inconsistent with the Scheme, the Scheme prevails.*

*2.3.2 A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.*

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

**Policy Implications:**

The proposal does not comply with some aspects of the adopted TP5 policy as outlined in the report above. Administration has no discretion to vary the existing adopted policy requirements.

**Budget / Financial Implications:**

The applicant has included the appropriate planning application fee as determined under the 2011/2012 Schedule of Fees and Charges.

Should Council refuse the application and the applicant decide to appeal the matter to the State Administrative Tribunal, there would be costs to defend any appeal. The amount of those costs cannot be determined at this time.

**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.

## OFFICER RECOMMENDATION

ITEM 10.2.6

That Council;

1. Approve the application for an outbuilding on Lot 16 Blue Vista, Hopetoun subject to the following conditions:
  - a) The outbuilding being used for domestic storage only and not for human habitation.
  - b) All stormwater from roofed and paved areas shall be collected and disposed of on-site to the satisfaction of Council.
  - c) The walls of the outbuilding are to be constructed in non reflective materials.
  - d) The owner/applicant is to submit a landscaping and reticulation plan for the introduction of landscaping strip along the western and southern boundaries of the property and immediately around the outbuilding in order to screen the outbuilding from the street and neighbouring properties, prior to the issue of a building licence. The plans shall show the species and quantity of all plant types to be planted.
  - e) The area of land to be landscaped being developed prior to, or concurrently with, the practical completion of the outbuilding. All landscaped areas are to be maintained in good condition thereafter.
2. Advise the applicant that;
  - (i) Planning approval should not be construed as an approval to commence works as a separate building licence is also required.
  - (ii) The landscaping plan required by condition (d) of this approval should detail the plants to be used, the manner in which they will be reticulated and not include the following species: Pampas Grass, Watsonia, Purple Senecio, Sydney golden wattle, Victorian tea tree, Dolichos pea, Blackberry, Bridal creeper, Taylorina, Arum lily and Gorse.

*Discussion*

**10.3 Manager of Engineering Services**

Nil

**10.4 Chief Executive Officer**

**10.4.1 POLICY REVIEW**

<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>	7 July, 2011
<b>Author:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	Yes – Additional Policy G18

**Summary:**

The purpose of this item is to review the current policy manual and make amendments to the document as required.

**Background:**

A comprehensive review of the Council’s policies was undertaken in 2010, including a Councillor’s policy workshop on 5 May, 2010.

Following the review Council adopted the new set of policies on 28 May, 2010. Since that time Council has introduced some new policies, these will be included in the updated Policy Manual.

**Comment:**

Following are a number of proposed amendments. In addition to the amendments a new policy – Community Consultation is proposed.

- Policy G1     Ordinary Council Meeting Location / Venue.**  
Amend - to read - Discussion meetings (3<sup>rd</sup> Monday) be held in Hopetoun and Munglinup. The number and venue to be determined on an annual basis.
  
- Policy G10    Organizational Chart**  
Amend            G11 to G9  
                      Include Deputy Chief Executive Officer in Chart.
  
- Policy G17    Customer Service Charter**  
Amend            Office hours to reflect current hours.  
                      Telephone contact details.
  
- Policy A12    Provision of Photocopy Services**  
Amend            RHAPS to Fitzgerald Coast Tourism Association
  
- Policy F1      Credit and Fuel Cards**  
Amend            to include “ c) Tourism Development Officer”  
                      under non members of staff.
  
- Policy F2      Financial Management – Payment of Accounts**  
Delete - this matter is covered under Delegation to the Chief Executive Officer (Delegation 020103)

**Policy F4 Authority to Sign Cheques**  
Delete - this matter is covered under delegation to the Chief Executive Officer (Delegation 020103)

**Policy F5 Investments**  
Amend Clause 4.3 to read:  
“Funds may be invested for a term of up to twelve (12) months”  
  
Amend Clause 4.4  
Delete - Manager, Planning and Development and include Deputy Chief Executive Officer.  
  
Amend Clause 4.5  
Delete – Manager Planning and Development and include Deputy Chief Executive Officer and or Manager Finance and Administration.

**Consultation:**  
Consultation is not required for the policy review unless there are changes to policies, such as Town Planning policies that require public advertising under legislation. There are no amendments proposed in this regard.

Once amendments are adopted and the new policy register is prepared it will be included on the Shire website for public information.

**Statutory Obligations:**  
Adopted policies are not legally binding, they are in place to assist / guide Councillors and staff when determining particular issues.

**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.

OFFICER RECOMMENDATION (1)	ITEM 10.4.1
That the amendments to Policies G1, G10, G17, A12, F1, F2, F4 and F5, as detailed in the above report, be adopted.	

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OFFICER RECOMMENDATION (2)	ITEM 10.4.1
<p>That the draft Community Consultation Policy G18, identified as attachment 10.4.1 be adopted.</p>	

*Discussion*

**10.4.2 AUSTRALIA’S GOLDEN OUTBACK WELCOME SIGNS**

**File Ref:**

**Applicant:** Australia’s Golden Outback

**Location:** Shire boundaries

**Disclosure of Officer Interest:** None

**Date:** 11 July, 2011

**Author:** Pascoe Durtanovich - CEO

**Authorising Officer:** Not applicable

**Attachments:** Yes – Example of signs

**Summary:**

Australia’s Golden Outback (AGO) has proposed large tourist “Welcome Signs” be placed in strategic locations entering parts of the AGO.

This report recommends Council support the proposal subject to Main Roads WA approval.

**Background:**

Nil

**Comment:**

Details of the proposal, as provided by AGO are as follows:

*The concept of the signs is that they be approximately 4m tall x 3m wide, full colour, able to be double sided and fixed on two poles concreted into the ground. Information on the sign is mainly pictorial, comprising of 1 large image and 3 smaller images along the bottom highlighting other iconic locations further out in Australia’s Golden Outback.*

*On the sign heading towards Ravensthorpe from Albany, near the western boundary of the shire, the intention at this stage is to make it single sided, seen by drivers as they are heading towards Ravensthorpe. The large image might be Fitzgerald River National Park, with the smaller images being Hopetoun jetty, kangaroo at Lucky Bay and wildflowers.*

*With the sign on the Lake King/Ravensthorpe Road, near the northern end of the Shire, the intention is to make this double sided, so it is seen by drivers travelling in both directions. We suggest the images seen as they drive towards Ravensthorpe might again be large image Fitzgerald River National Park, with the smaller images being Hopetoun jetty, kangaroo at Lucky Bay and wildflowers. On the reverse side, as seen by drivers heading into the*

*Wheatbelt, we suggest the images be large picture Wave Rock, with smaller images Wagin Tourist Village, people in wildflowers and Tin Horse Highway.*

**Consultation:**

Nil

**Statutory Obligations:**

Main Roads WA approval is required as the location for the proposed signs is on state roads.

**Policy Implications:**

Nil

**Budget / Financial Implications:**

The cost of the signs has been funded by a Royalties for Regions grant secured by AGO.

The cost to the Shire for the erection of the signs is approximately \$500.

**Strategic Implications:**

The Shire of Ravensthorpe Strategic Plan, Plan for the Future indicates support for tourism by promotion of the regional area.

**Sustainability Implications:**

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

**Voting Requirements:**

Simple majority.

OFFICER RECOMMENDATION	ITEM 10.4.2
<p>That the proposal form Australia's Golden Outback for the erection of Welcome Signs at the Shire boundaries on South Coast Highway and the Lake King/Ravensthorpe Road be supported, subject to Main Roads WA approval.</p>	

*Discussion*

**10.4.3 RAVENSTHORPE COMMUNITY CHILDCARE COMMITTEE – COUNCIL DELEGATE****File Ref:****Applicant:** Ravensthorpe Childcare Committee**Location:** Ravensthorpe**Disclosure of Officer Interest:** None**Date:** 12 July, 2011**Author:** Pascoe Durtanovich - CEO**Authorising Officer:** Not applicable**Attachments:** Nil**Summary:**

Council has been requested by the Childcare Committee to appoint an ex officio member.

This report recommends an appointment be made.

**Background:**

Nil

**Comment:**

The Committee's constitution allows for a Councillor ex officio member. Meetings are held every two months and are usually on a Tuesday night, commencing 5.45pm. The next meeting is to be held on 2 August, 2011.

**Consultation:**

N/A

**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.

OFFICER RECOMMENDATION	ITEM 10.4.3
That Cr _____ be appointed ex officio member on the Ravensthorpe Community Childcare Committee.	

*Discussion*

**10.4.4 FUTURE DISPOSITION OF UNREGISTERED COMMONWEALTH LEASES FOR “AUTOMATIC EXCHANGE SITE” IN SHIRE OF RAVENSTHORPE**

<b>File Ref:</b>	7072.8
<b>Applicant:</b>	Regional Development and Lands
<b>Location:</b>	Lot 1992 and Lot 1246
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	12 July, 2011
<b>Author:</b>	Pascoe Durtanovich - CEO
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	Yes – site plan

**Summary:**

Regional Development and Lands proposes to issue two new leases for existing infrastructure.

This report recommends that Council support the proposal.

**Background:**

The sites are currently used for mobile phone facilities and are located on unallocated crown land, being Lot 1992 and Lot 1246, South Coast Highway (Plan attached).

**Comment:**

It is proposed to issue new leases for a period of 21 years with a purpose of “Automatic Exchange Site”.

**Consultation:**

N/A

**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.

OFFICER RECOMMENDATION	ITEM 10.4.4
<p>That the issuing of new 21 year leases for UCL Lot 1992 and UCL Lot 1246, with a purpose of “Automatic Exchange Site” be supported.</p>	

*Nil*

*6.37pm – Cr Tilbrook left the Chambers*

*6.39pm - Cr Tilbrook returned to the Chambers*

**10.4.5 HOPETOUN RAVENSTHORPE ROAD – HAULAGE ROUTE**

<b>File Ref:</b>	7077.8
<b>Applicant:</b>	Not applicable
<b>Location:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	12 July 2011
<b>Author:</b>	Pascoe Durtanovich - CEO
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	Yes – Copies of correspondence

**Summary:**

Council is requested to reconsider its position on the use of the Hopetoun Ravensthorpe Road road reserve as a mine haulage route.

**Background:**

At the council meeting on 21 October, 2010 Council resolved as follows:

*That Council, in respect of the correspondence received from Tectonic Resources NL dated 5 October 2010, advise the company that Council support the proposed alignment of the ore haulage route between Kundip and Trilogy as outlined under ‘Option 2’.*

Option 2 is as follows:

Construct a dedicated road adjacent to the main road to serve a dual purpose of providing access to the power line and pipeline as well as provide heavy haulage of ore from Kundip to Trilogy.

Pros

- Eliminates an increased traffic flow on the main road thus reduces the potential for vehicle accidents;
- Reduces the capital cost for the project as the construction cost for upgrading the service road to a dedicated haul road is anticipated to be of the order of \$50,000 to \$100,000 per km. (A capital cost saving of \$4 to \$4.5 million on the project); and
- Reduces the operating cost for the project as the company will be eligible to claim the diesel fuel rebate for all haulage activities. (Any reduction in operating cost is a benefit to the company and project ensuring the viability of the investment case into the development of the project).

#### Cons

- Main Roads Department is opposed to this option due to the fact the miscellaneous license is contained within the road reserve thus creates insurance/liability issues;
- Issues potentially arise as a result of motorist's confusion over headlights from heavy haulage equipment being off the main road alignment;
- An additional amount of clearing will be required to increase the access road width to cater for larger haulage equipment; and
- Management of the Jerdacuttup North road intersection with the haul road will require consideration.

The decision that was made on 21 October, 2010 has created a problem in respect to Main Roads WA taking responsibility for the road. (see letters attached). In addition to the correspondence MRWA has indicated, at recent meetings, that they will not accept responsibility for the road if there is a haulage route.

#### **Comment:**

Whilst Main Roads WA has not allocated funding for the Hopetoun Ravensthorpe Road in 2011/2012 it has not completely ruled out accepting responsibility for the road.

Under the circumstances it would be advisable to rescind Res 538/10 of 21 October, 2010. This would at least remove one obstacle in the push to have the State Government accept responsibility for the road.

#### **Consultation:**

Not applicable.

#### **Statutory Obligations:**

Nil

#### **Policy Implications:**

Nil

#### **Budget / Financial Implications:**

Costs for the maintenance of the Hopetoun Ravensthorpe road will be substantial and beyond the Shire's capability unless Regional Road group funds can be attracted.

#### **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 for Recommendation (1)  
Simple majority for Recommendation (2)

OFFICER RECOMMENDATION (1)	ITEM 10.4.5
That resolution 538/10 of the meeting held on 21 October, 2010, be rescinded.	

OFFICER RECOMMENDATION (2)	ITEM 10.4.5
That the Chief Executive officer arrange a meeting with MRWA (Great Southern) Tectonic Representatives and full Council to discuss options for the haulage of ore between Kundip and Trilogy.	

*Discussion*

**10.4.6 CHIEF EXECUTIVE OFFICER ANNUAL PERFORMANCE REVIEW**

<b>File Ref:</b>	Personal file
<b>Applicant:</b>	Not applicable
<b>Location:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Yes – Chief Executive Officer
<b>Date:</b>	12 July, 2011
<b>Author:</b>	Pascoe Durtanovich - CEO
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	None

**Summary:**

The Chief Executive officers Performance review was undertaken by councillors.

This report recommends that Council accept the review.

**Background:**

The review was conducted on 11 July, 2011, involving a review of the performance indicators set in the contract of employment and achievements of actions in the Shire of Ravensthorpe Strategic Plan/Plan for the Future.

**Comment:**

A copy of the review report has been provided to Councillors under separate cover.

**Consultation:**

N/A

**Statutory Obligations:**

Section 5.38 of the Local Government Act, 1995.

**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.

OFFICER RECOMMENDATION

ITEM 10.4.6

That Council:

- 1) Accept the performance review of the Chief Executive Officer; and
- 2) Approve adjustments to the Chief Executive officer's remuneration package as recommended in the review.

*Nil*

**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**

**12.2 OFFICERS**

**13. MATTERS BEHIND CLOSED DOORS**

Nil

**14. CLOSURE OF MEETING - 6.55pm**

These minutes were confirmed at the meeting of the

\_\_\_\_\_

Signed: \_\_\_\_\_

(Presiding Person at the meeting of which the minutes were confirmed.)

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