MINUTES

for the Council Meeting held on

Monday 15 October 2012
commencing at 5 p.m.

in the Rural Transaction Centre, Hopetoun.

ORDINARY MEETING OF COUNCIL
HELD IN THE RURAL TRANSACTION CENTRE, HOPETOUN
ON 15 OCTOBER 2012, COMMENCING AT 5PM

CONTENTS **PAGE NO**

1 DECLARATION OF OPENING /ANNOUNCEMENTS OF VISITORS 3
2 RECORD OF ATTENDANCE 3
3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE 3
4 PUBLIC QUESTION TIME 3
5 APPLICATIONS, FOR AND PREVIOUSLY APPROVED 3
LEAVE OF ABSENCE AND DISCLOSURES OF INTEREST
6 PETITIONS/DEPUTATIONS/ PRESENTATIONS 3
7 CONFIRMATION OF MINUTES 3
7.1 COUNCIL MEETING 20 SEPTEMBER 2012 3
8 SUSPENSION OF STANDING ORDERS 4
9 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSIONS 4
10 REPORTS OF OFFICERS 4
10.1 DEPUTY CHIEF EXECUTIVE OFFICER 4
10.1.1 MONTHLY FINANCIAL REPORT – 31 SEPTEMBER 2012 4
10.1.2 SCHEDULE OF ACCOUNT PAYMENTS – SEPTEMBER 2012 6
10.1.3 BUDGET AMENDMENT – COUNCIL VEHICLE PURCHASE 8
10.1.4 DISPOSAL OF PROPERTY BY PRIVATE TREATY – 95 MARTIN STREET 10
10.1.5 TRANSFER OF NON-RATEPAYING PROPERTIES TO COUNCIL OWNERSHIP 13
10.1.6 BUDGET AMENDMENT – PURCHASE OF SECURITY CAMERAS 16
10.1.7 AIRPORT LAND LEASE - LOTS 759 AND 82 CORNER JERDACUTTUP ROAD AND RAVENSTHORPE/HOPETOUN ROAD 17
10.1.8 COUNCIL ORDINARY ELECTIONS 2013 20
10.2 MANAGER OF PLANNING & DEVELOPMENT 23
NIL 12
10.3 MANAGER OF ENGINEERING SERVICES 23
NIL 23
10.4 CHIEF EXECUTIVE OFFICER 23
10.4.1 WARD AND REPRESENTATION REVIEW 23
11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN 27
12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING 27
13 MATTERS BEHIND CLOSED DOORS 27
14 CLOSURE OF MEETING 27

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

5.07pm – The Presiding Person, Cr Ian Goldfinch, opened the meeting.

2. ATTENDANCE / APOLOGIES/ APPROVED LEAVE OF ABSENCE

MEMBERS:	Cr Goldfinch	(Shire President)
	Cr Keith Dunlop	(Deputy Shire President)
	Cr Ken Norman	
	Cr Jan Field	
	Cr Don Lansdown	
	Cr Andrew Duncan	
STAFF:	Brent Bailey	(Acting Chief Executive Officer)
	Darryn Watkins	(Manager Engineering Services)
	Jenny Rutter	(Executive Assistant)

APOLOGIES:
Cr Julianne Townsend

ON LEAVE OF ABSENCE:

ABSENT:

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 – 20 September, 2012

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 7.1
Moved: Cr Dunlop	Seconded: Cr Norman
That the minutes of the meeting of Council held on 20 September, 2012 be confirmed as a true and correct record of proceedings subject to the following correction; Cr Jan Field and Cr Don Lansdown were 'On Leave of Absence' not 'Apologies' as recorded.	
Carried: 6/0	Res: 196/12

8. SUSPENSION OF STANDING ORDERS

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 8
Moved: Cr Lansdown	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: 6/0	Res: 197/12

9. ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS

Nil

10. REPORTS OF OFFICERS

10.1 Deputy Chief Executive Officer

10.1.1 MONTHLY FINANCIAL REPORT – 30TH SEPTEMBER 2012

File Ref:

Applicant: Not applicable

Location: Not applicable

Disclosure of Officer Interest

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 that 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
Cost of valuation, $600.00

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 10.1.4

That Council-

1) Dispose of the residential property 95 Martin Street Ravensthorpe to Mr Steven Ball for a price of $155,000 in accordance with Section 3.58 of the Local Government Act.

2) Amend the budget to allocate $155,000 in funds derived from the sale of the property to be placed in the Shire of Ravensthorpe Building Reserve fund.

Discussion

10.1.5 TRANSFER OF NON-RATEPAYING PROPERTIES TO COUNCIL OWNERSHIP

File Ref:

Applicant:	Not applicable
Location:	Lot 74 Morgans Street Ravensthorpe and Lot 242 Martin Street Ravensthorpe
Disclosure of Officer Interest:	None
Date:	3rd October 2012
Author:	Brent Bailey – Deputy Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Confidential – Legal Advice

Summary:
This item addresses the statutory process of transferring two properties into Council ownership following non-payment of rates, an unsuccessful public auction and 12 months of advertisement for sale by private treaty.

Background:
In accordance with the provisions of the Local Government Act 1995 the Shire has taken possession of both properties Lot 74 Morgans Street Ravensthorpe and Lot 242 Martin Street Ravensthorpe for non-payment of rates. If by the 18th October 2012 the Shire has not entered into a contract for sale for the properties then it can elect to transfer the properties to itself.

This report proposes to finalise the process of land transfer and write-off the outstanding rates and charges on each property.

Comment:
Advice from Council's solicitors notes that the Shire has undertaken all its obligations in regards to the statutory process for the transfer of land. To finalise the process the Shire will need to execute a T5 Transfer of Land document under common seal supported by a statutory declaration to affirm that the Shire has complied with provisions of Part 6 Division 6, Subdivision 6 of the Local Government Act 1995.

Council should be aware that the transfer of ownership will still incur additional expenses through legal costs, Landgate registrations and payment of outstanding amounts to other government departments or bodies such as the Water Corporation. These final amounts are not known until the settlement process is commenced.

Council has made a provision in the 2012/2013 budget to write off the rates associated with these properties. This write-off will improve Council's rates outstanding ratio and the transfer of ownership will increase Council's landholdings within the town of Ravensthorpe.

Should a private sale for either property be executed prior to 18th October 2012 then this report will be withdrawn from the Council agenda.

Consultation:
McLeods Barristers and Solicitors

Statutory Obligations:
Local Government Act 1995 Part 6, Division 6, Subdivision 6

Subdivision 6 — Actions against land where rates or service charges unpaid

6.64. Actions to be taken

(1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —
    (a) from time to time lease the land;
    (b) sell the land;
    (c) cause the land to be transferred to the Crown; or
    (d) cause the land to be transferred to itself.

(2) On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.
(3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.

6.71. Power to transfer land to Crown or to local government

(1) If under this Subdivision land is offered for sale but at the expiration of 12 months a contract for the sale of the land has not been entered into by the local government, it may by transfer, where the land is subject to the provisions of the
(1) Transfer of Land Act 1893, and by deed, where the land is not subject to the provisions of that Act, transfer or convey the estate in fee simple in the land to —
    (a) the Crown in right of the State; or
    (b) the local government.
(2) When a local government exercises the power referred to in subsection (1)(a) in relation to any land all encumbrances affecting the land are, by virtue of this section of no further force or effect against that land and the Registrar of Titles or the Registrar of Deeds, as the case requires, is to give effect to this section.
(3) When exercising the power referred to in subsection (1)(b) the local government is required to pay the sum secured by, or payable under, a mortgage, lease, tenancy, encumbrance or charge in favour of the Crown in right of the State or a department, agency, or instrumentality of the Crown in right of the State.
(4) Schedule 6.3 has effect in relation to the exercise of the power referred to in subsection (1).

Local Government Act 1995
Part 6 Financial management Division 6 Rates and service charges

6.47. Concessions

Subject to the Rates and Charges (Rebates and Deferments)
Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

* Absolute majority required.

Policy Implications:
Nil

Budget / Financial Implications:
Provision is made in the 2012/2013 budget for rates write-off and legal expenses associated with this report. Approximately $28,700 and $30,500 will be written off on
Lots 74 Morgans Street and 242 Martin Street Ravensthorpe respectively.

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 ITEM 10.1.5

That Council:

1) Resolve to finalise the transfer of properties Lot 74 Morgans Street Ravensthorpe and Lot 242 Martin Street Ravensthorpe into Council ownership through the execution of a T5 Transfer of Land document.
2) Waive all outstanding rates and charges on Lot 74 Morgans Street Ravensthorpe and Lot 242 Martin Street Ravensthorpe at completion of the land transfer process.

Discussion

10.1.6 BUDGET AMENDMENT – PURCHASE OF SECURITY CAMERAS

File Ref:

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	2nd October 2012
Author:	Brent Bailey – Deputy Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Nil

Summary:
This item addresses a request for a budget amendment to fund the purchase of two mobile security cameras using funds received from the Office of Crime Prevention which were unbudgeted.

Background:
Council has recently received a grant for $5,000 which was the Office of Crime Preventions contribution towards the Crime Prevention Report which Council commissioned in 2010. This funding was unbudgeted and provides Council with the opportunity to allocate the funds to projects. As the funding stems from a crime prevention project it is suggested that Council allocate the funds towards the purchase of two mobile CCTV cameras to address anti-social behaviour in Hopetoun and assist the Police in investigations.

Comment:
It is proposed that Council purchase two mobile CCTV cameras which can be mounted at various locations in the Shire and be relocated to address problem areas. The quotes received to date indicate that there are a variety of solutions which can provide CCTV for $5,000.

Council has acknowledged various anti-social behaviour problems at the main street in Hopetoun and the installation of CCTV may be able to address some of the issues or provide the Police with evidence to prosecute offenders.

Consultation:
Not applicable.

Statutory Obligations:
Nil

Policy Implications:
Nil

Budget / Financial Implications:
Section 6.8 of the Local Government Act 1995 relates to this item.

6.8. Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

(a) is incurred in a financial year before the adoption of the annual budget by the local government;
(b) is authorised in advance by resolution*; or
(c) is authorised in advance by the mayor or president in an emergency.

Strategic Implications:
Nil

Sustainability Implications:

x **Environmental**:
There are no known significant environmental considerations.

x **Economic**:
There are no known significant economic considerations.

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

Voting Requirements:
Simple Majority

OFFICER RECOMMENDATION	ITEM 10.1.6

That Council amend the 2012/2013 annual budget as follows:

1) Recognise $5,000 income associated with the Office of Crime Prevention grant.
2) Allocate $5,000 in expenditure towards the purchase of mobile CCTV equipment for community crime prevention purposes.

Discussion

10.1.7 AIRPORT LAND LEASE - LOTS 759 AND 82 CORNER JERDACUTTUP ROAD AND RAVENSTHORPE/HOPETOUN ROAD

File Ref:

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	26th September 2012
Author:	Brent Bailey – Deputy Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Nil

Summary:
This item seeks to invite tenders for the lease of land on Lots 759 and 82 Corner Jerdacuttup Road and Ravensthorpe/Hopetoun Road by lease. The current lease is due to expire in February 2013.

Background:
The Shire of Ravensthorpe has leased the farmland which surrounds the airport since 2006. The farmland is the balance of lot 759 and 82 corner Jerdacuttup Road and Ravensthorpe / Hopetoun Road which is not used for aerodrome operations.

At the Ordinary Council meeting on the 28th July, 2009, Council resolved as follows:

"*That in accordance with the Local Government Act, 1995, the Chief Executive Officer invite tenders for the disposal of Lots 759 and 82, Corner Jerdacuttup Road and Ravensthorpe/Hopetoun Road by lease, with the following conditions:*

- *lease term – 3 years, commencing 1st February, 2010;*
- *control of Lovegrass be the responsibility of the lessee;*
- *the current lessee be permitted to harvest existing crops;*
- *all rates and taxes to be the responsibility of the lessee; and*
- *other conditions to the satisfaction of the Chief Executive Officer."*

Subsequent to the tender process the lease was awarded to Blue Hills Grazing Trust who has managed the land amicably during their lease period. With the lease due to expire in February 2013 it is important that arrangements be put in place to either re-negotiate the lease and advertise as a private treaty transaction or re-tender the lease in the open market.

Comment:
Council's Town Planning Officer is currently investigating the subdivision and potential sale of a portion of this land however it is not anticipated that a subdivision process would be complete within 1-2 years. As such it is suggested that the lease term this time be 1 year

with a 1 year option which would allow adequate time for the future of this property to be resolved and continuation of the lease for the second year if required.

Consultation:
Not applicable.

Statutory Obligations:
Local Government Act, 1995.

3.58 Disposing of property

1. In this section-
dispose includes to sell, lease or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.

2. Except as stated in this section, a local government can only dispose of property to-
(a) the highest bidder at public auction; or
(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

3. (a) it gives local public notice of the proposed disposition-
(i) describing the property concerned;
(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, 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;
(b) the consideration to be received by the local government for the disposition; and
(c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.

Policy Implications:
Nil

Budget / Financial Implications:
The current lease fee for the property is approximately $45,000 per annum. The new market rate for the property will be established through the tender process.

Strategic Implications:
Nil

Sustainability Implications:

x **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 10.1.7

That in accordance with the Local Government Act, 1995, the Chief Executive Officer invite tenders for the combined disposal of Lots 759 and 82, Corner Jerdacuttup Road and Ravensthorpe/Hopetoun Road by lease, with the following conditions:

- lease term – 1 year with a 1 year option, commencing 1st February, 2013;
- control of lovegrass be the responsibility of the lessee;
- the current lessee be permitted to harvest existing crops;
- all rates and taxes to be the responsibility of the lessee; and
- other conditions to the satisfaction of the Chief Executive Officer.

Discussion

10.1.8 COUNCIL ORDINARY ELECTIONS 2013

File Ref:

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	2nd October 2012
Author:	Brent Bailey – Deputy Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Nil

Summary:
The Electoral Commission has commenced planning for the 2013 Local Government Elections. Given the successful operation of the 2011 Shire of Ravensthorpe elections, it is recommended that the Electoral Commissioner is again appointed to be responsible for the 2013 Ordinary Election.

Background:
The West Australian Electoral Commission has commenced planning for the 2013 Local Government postal elections and has invited the Shire of Ravensthorpe to utilise its services in conducting these elections.

The current procedure required by the Local Government Act 1995 is that written agreement from the Electoral Commissioner has to be obtained before the Shire can declare that the Electoral Commissioner will be responsible for elections. The Commissioner has agreed to be responsible for the conduct of the ordinary elections in October 2013 for the Shire of Ravensthorpe in accordance with Section 4.20(4) of the Local Government Act 1995. The Electoral Commissioner will only conduct the election if the method is a postal election.

In order to achieve this, the following two motions need to be passed by absolute majority:

1. Declare, in accordance with Section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2013 ordinary elections together with any other elections or polls which may be required.

2. Decide, in accordance with Section 4.61(2) of the Local Government Act 1995 that the method of conducting the 2013 election will be as a postal election.

Comment:
The Electoral Commission states higher turnout figures that clearly indicate that electors are more prepared to vote in postal elections; and cite the following advantages:

Advantages for electors
1. Convenience of casting a vote in their own homes – particularly for disabled and aged voters and those without access to transport.
2. Provision of candidate profiles to each elector to assist in their decision-making.
3. Time to contact candidates and make an informed decision.
4. Reduced costs in time and travel in casting a vote.

Advantages for candidates
1. Availability of an experienced Returning Officer “at arms length” from Local Government business.
2. Detailed candidates’ guides prepared by the Electoral Commission.
3. An opportunity to reach all eligible electors at no cost through the candidate profile.
4. Confidence that the election is being run by the State’s independent Electoral Commission.
5. Elected candidates have an increased support base.

Advantages for the Local Government
1. All eligible electors are given information about the election.
2. Electors can vote more easily as there are virtually no barriers to voting.
3. Elections are seen to be conducted by the impartial Western Australian Electoral Commission.
4. The workload for the CEO is reduced in an area that is not core business.
5. The vast majority of elector and candidate enquiries are received and resolved by either the Returning Officer or the Electoral Commissioner
6. Statutory requirements are fulfilled.
7. A full election report (including statistics) is prepared by the Electoral Commission for presentation to Council.
8. Materials and equipment used in the processes meet contemporary electoral standards.
9. Economies of scale can reduce some of the costs.
10. Elected Councillors have a high level of support from the local community.

Consultation:
Not applicable.

Statutory Obligations:
Section 4.61 of the Local Government Act 1995, states in part as follows:

4.61. Choice of methods of conducting the election

(1) The election can be conducted as a postal election which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day;
or Voting in person election which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.

(2) The local government may decide* to conduct the election as a postal election.

* Absolute majority required.

(4) A decision under subsection (2) has no effect unless it is made after a declaration is made under section 4.20(4) that the Electoral Commissioner is to be responsible for the conduct of the election or in conjunction with such a declaration.

Section 4.20 (4) of the Act states as follows:

(4) A local government may, having first obtained the written agreement of the Electoral Commissioner, declare* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.

* Absolute majority required.

Policy Implications:
Nil

Budget / Financial Implications:
The cost for the Electoral Commissioner to conduct the 2013 Ordinary Elections will be approximately $13,000. This cost will be incurred during the 2013/14 financial year and will therefore be considered during the 2013/14 budget deliberations.

Strategic Implications:
Council members elected through Ordinary Elections will join Council and contribute to setting strategic direction and decision making.

Sustainability Implications:

x **Environmental**:
There are no known significant environmental considerations.

x **Economic**:
There are no known significant economic considerations.

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

Voting Requirements:
Simple Majority

OFFICER RECOMMENDATION	ITEM 10.1.8

That Council:

1. Declare, in accordance with Section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2013 ordinary elections together with any other elections or polls which may be required.

2. Decide, in accordance with Section 4.61(2) of the Local Government Act 1995 that the method of conducting the 2013 election will be as a postal election.

Discussion

10.2 Manager of Planning and Development

Nil

10.3 Manager of Engineering Services

Nil

10.4 Chief Executive Officer

10.4.1 WARD AND REPRESENTATION REVIEW

File Ref:

Applicant:	Shire of Ravensthorpe
Location:	Shire of Ravensthorpe Municipal District
Disclosure of Officer Interest:	None
Date:	27 September, 2012
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Yes – Draft Discussion Paper

Summary:
Council is required to undertake a review of the ward system and representation in the Shire of Ravensthorpe. To commence the process Council must first resolve to undertake a review. This report recommends accordingly.

Background:
Schedule 2.2 of the Local Government Act, 1995 requires Local Government with Wards to carry out reviews of the Ward boundaries and the number of Councillors for each ward from time to time so that no more than eight years elapse between successive reviews.

The last such review in the Shire of Ravensthorpe was undertaken on 2008. At the 18 December, 2008 meeting Council resolved as follows:

A. That:

1. The Ward and representation review report dated November, 2008 be adopted;
   and
2. In accordance with schedule 2.2(a) Of the Local Government Act 1995, it is recommended to the Local Government Advisory Board that:

   (a) The current seven offices of councillor for the Shire be maintained.
   (b) Based on the preference expressed through the public consultation process the Shire retain a ward system.
   (c) The ward system change from three wards to two wards wherein:
   - Current Ravensthorpe and Rural Wards are combined to form one ward, and
   - Hopetoun Ward be retained with its existing boundary.
   - The new Ward names be as follows:

Existing Name	***New Name***
Ravensthorpe and Rural Wards	Hinterland
Hopetoun	Coastal

B. That the Local Government Advisory Board be advised that Council does not support a complete spill of Councillors if the recommended changes to the ward system are approved by the board.

The Local Government Advisory Board approved the changes however with the closure of the Ravensthorpe Nickel Operation in January, 2009 and the subsequent reduction in population, particularly in Hopetoun, the Local Government Advisory Board at Council's request did not implement the changes.
Through the proposed Munglinup boundary adjustment with the Shire of Esperance, the Local Government Advisory Board identified the need for the Shire of Ravensthorpe to review the wards and representation and in accordance with Clause 6 (3) of Schedule 2.2 of the Local Government Act, 1995 requested the Shire to conduct a review.

The Shire's Councillor to elector ratios at the time of the October, 2011 elections were

Ward	Number of Councillors	Number of Electors	Councillor to Elector Ratio	% Ratio Deviation
Hopetoun	2	556	278	- 59.90%
Ravensthorpe	2	237	119	+ 31.84%
Rural	3	424	141	+ 18.71%
TOTAL	**7**	**1,217**	**174**	

Comment:
The review process involves a number of steps:

- Council resolves to undertake the review.
- Public submission period opened.
- Information provided to the community for discussion.
- Public submission period closes.
- Council considers submissions.
- Council submits a report to the Local Government Advisory Board for its consideration.
- If changes are proposed the Local Government Advisory Board submits the proposal to the Minister for Local Government.

If any changes are approved the aim is to have them in place in time for the annual election in October, 2013.

When considering changes to wards and representations, Schedule 2.2 of the Local Government Act specifies factors that must be taken into account by a Local Government as part of the review process.

1. Community of Interest.
2. Physical and topographic features.
3. Demographic trends.
4. Economic factors.
5. Ratio of Councillors to electors in the various Wards.

The position of the Local Government Advisory Board and the Minister for Local Government is that changes to ward boundaries and representation that result in Ward Councillor/Elector ratios that are greater than plus or minus 10% of the average Councillor/Elector ratio for that Local Government will not be considered, similarly situations with ratios outside the 10% should be addressed.

A draft discussion paper has been prepared and is attached for Council's consideration.

Council may wish to include further options to be assessed.

Council should now resolve to carry out a review of the ward boundaries and the number of councillors for each ward.

Consultation:
In accordance with Council policy G19 the following public consultation plan is proposed.

Objective of Consultation
To advise the ratepayers and residents of the Shire of Ravensthorpe of the need to review Wards and representation and to obtain their views and input on options for consideration.

Stakeholders to be Consulted
Shire of Ravensthorpe ratepayers and residents.

Timing and duration of Consultation
Consultation to commence immediately after Council has resolved to commence the review (the October, 2012 Ordinary Council meeting) and continue to Tuesday 11 December, 2012.

Method of Consultation

- One public meeting to be held in Munglinup, one in Hopetoun and one in Ravensthorpe. The Ravensthorpe meeting to be the Annual General meeting of the Shire of Ravensthorpe, previously scheduled for 12 November, 2012.

- x A formal letter to be forwarded to all ratepayers and electors requesting participation at the public meetings and inviting written submissions.
- x Public notice of proposed meetings and submission period on the public notice board at:
  - Shire Office
  - Hopetoun Resource Centre
  - Ravensthorpe Resource Centre
- x Local public notice of public meetings and submission period, once in the Esperance Express and once in the Community Spirit.

Statutory Obligations:
Schedule 2.2 of Local Government Act 1995.

Before carrying out the review a Local Government has to give local public notice advising:
a) That the review is to be carried out; and
b) That submissions may be made to the Local Government before a day fixed by the notice, being a day that is not less than six weeks after the notice is first given.

Policy Implications:
Nil

Budget / Financial Implications:
The review is to be undertaken in house involving administration costs and advertising of approximately $3,000.

Funds are included in the 2012/2013 budget for this purpose. Depending on what option is adopted after the review and whether a complete spill of councillors is required there may be additional election costs. This would be budgeted for in the 2013/2014 year.

Strategic Implications:
Nil

Sustainability Implications:

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

Voting Requirements:
Simple Majority

OFFICER RECOMMENDATION ITEM 10.4.1

That Council -
1) In accordance with schedule 2.2 of the Local Government Act 1995 carry out a review of the Ward boundaries and the number of Councillors for each Ward.
2) Receive the draft discussion paper and release it to the public for information and comment as part of the review process and in accordance with the public consultation plan in this report.

Discussion

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 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 – 6.10PM

These minutes were confirmed at the meeting of the _____

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

Date: _____