



AGENDA

For the Council Meeting to be held on

Thursday, December 15, 2016

Commencing at 5 p.m.

In the Council Chambers, Ravensthorpe.



SHIRE OF RAVENSTHORPE

DISCLAIMER

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A handwritten signature in blue ink, appearing to read "Ian Fitzgerald", is written over a horizontal line.

Ian Fitzgerald
Chief Executive Officer

06/12/2016

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E-mail: - shire@ravensthorpe.wa.gov.au



WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL

NOTE: USE ONE FORM PER DECLARATION

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

Agenda item (3) _____

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

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

The nature of my interest is (5)

The extent of my interest is (6)

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

Signature

Date

RECEIVED BY:

Chief Executive Officer

Date

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

5.60A – Financial Interest

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

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

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

5.60B – Proximity Interest

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

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

Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995

5.61 – Indirect financial interest

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

Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulation 2007

11 – Disclosure of interest

- (1). In this regulation –
Interest means an interest that could, or could reasonably be perceived to; adversely affect the impartiality of the person having the interest arising from kinship friendship or membership of an association.
- (2). A person who is a council member and who has an interest in any matter to be discussed at a council or committee meeting attended by the member must disclose the nature of the interest –
 - (a). in a written notice given to the CEO before the meeting;
or at the meeting immediately before the matter is discussed.
- (3). Sub-regulation (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4). Sub-regulation (2) does not apply if –

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

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

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

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

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



**SHIRE OF RAVENSTHORPE
WORKS REQUEST FORM**

Name: _____

Date: ____/____/2016 Urgency: Low / Medium / High / Strategic

Road / Public Building / Area: _____

Request: _____

Description:

OFFICE USE ONLY:

Action Taken:

Comment:

Completed: ____/____/2016 Signature: _____

Inspected and/or authorised: _____
Chief Executive Officer

ORDINARY MEETING OF COUNCIL

TO BE HELD IN THE COUNCIL CHAMBERS, RAVENSTHORPE
ON 24 NOVEMBER 2016, COMMENCING AT 5PM

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2. ATTENDANCE / APOLOGIES/ APPROVED LEAVE OF ABSENCE

MEMBERS: Cr Keith Dunlop (Shire President)
 Cr Peter Smith (Deputy Shire President)
 Cr Kerry Dickinson
 Cr Sharyn Gairen
 Cr Graham Richardson
 Cr Ian Goldfinch
 Cr Ken Norman

STAFF: Ian Fitzgerald (Chief Executive Officer)
 Jenny Goodbourn (Manager of Corporate and Community Services)
 Darryn Watkins (Manager Engineering Services)
 Craig Pursey (Manager of Planning and Development)
 Hanneke Coetzee (Executive Assistant)

APOLOGIES:

ON LEAVE OF ABSENCE:

ABSENT:

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

4. PUBLIC QUESTION TIME

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

6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

7. CONFIRMATION OF MINUTES

7.1 COUNCIL MEETING – 24 NOVEMBER, 2016

OFFICER RECOMMENDATION	ITEM 7.1
<p>That the minutes of the meeting of council held on 24 November, 2016 be confirmed as a true and correct record of proceedings.</p>	

8. SUSPENSION OF STANDING ORDERS

9. ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS

10. REPORTS OF OFFICERS**10.1 MANAGER OF CORPORATE AND COMMUNITY SERVICES****10.1.1 SCHEDULE OF ACCOUNT PAYMENTS – 30 NOVEMBER 2016****File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 30 NOVEMBER, 2016**Author:** Eimear Guidera – Payroll/Creditors Officer**Authorising Officer:** Ashleigh Stade – Senior Finance Officer**Attachments:** Schedule of Payments to 30 November, 2016
Credit Card Transactions to 30 November, 2016**Summary:**

This item presents the schedule of payments for Council approval in accordance with Regulation 13 of the Local Government (Financial Management) Regulations 1996.

Background:**30 November 2016**

FUND	PAYMENT	VOUCHERS	AMOUNTS
Municipal Account	EFTs	EFT6400-EFT6506	\$770,225.00
	Municipal Fund Cheques	40326 – 40337	\$20,416.90
Payroll	Dates	09/11/2016 23/11/2016	\$169,368.57
Superannuation		Direct Debit	\$25,386.41
Bank Fees			\$27.50
Municipal Account Total			\$985,424.38
Shire Credit Card Facility	Westpac VISA	01/11/2016- 01/12/2016	\$2,853.92
Trust Account Payments	EFTs	EFT6447 – EFT6507	\$29,691.85

	Cheques	1385 – 1385	\$20.00
Grand Total			\$1,017,990.15

Comment:

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

Consultation:

N/A

Statutory Obligations:**Local Government (Financial Management) Regulations 1996****13. Lists of accounts**

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared

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

(2) A list of accounts for approval to be paid is to be prepared each month showing —

- (a) for each account which requires council authorisation in that month —
 - (i) the payee's name;
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction; and
- (b) the date of the meeting of the council to which the list is to be presented.

(3) A list prepared under sub regulation (1) or (2) is to be —

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
- (b) recorded in the minutes of that meeting.

Policy Implications:

N/A

Budget / Financial Implications:

This item address Council's expenditure from Trust and Municipal funds which have been paid under delegated authority.

Strategic Implications:

N/A

Sustainability Implications:

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

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

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

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION

ITEM 10.1.1

That pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996, the payment of accounts for the month of November 2016, be noted.

10.1.2 MONTHLY FINANCIAL REPORT – 30 NOVEMBER 2016**File Ref:**

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	9 TH December 2016
Author:	Jenny Goodbourn - MCCS
Authorising Officer:	Not applicable
Attachments:	Yes – Monthly Financial Report–November 2016

Summary:

This report presents the monthly financial reports for November 2016 to Council which is provided as an attachment to the agenda. The recommendation is to receive the October monthly financial reports.

Background:

As per the Financial Management Regulation 34 each Local Government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1) (d), for that month with the following detail

- The annual budget estimates,
- The operating revenue, operating income, and all other income and expenses,
- Any significant variations between year to date income and expenditure and the relevant budget provisions to the end of the relevant reporting period,
- Identify any significant areas where activities are not in accordance with budget estimates for the relevant reporting period,
- Provide likely financial projections to 30 June for those highlighted significant variations and their effect on the end of year result,
- Include an operating statement, and
- Any other required supporting notes.

Comment:

To provide timely financial information to the Council this report is based on the 2016/2017 Budget adopted by Council on 18 August 2016. The report contains the budget amounts, actual amounts of expenditure, revenue and income to the end of the month. It shows the material differences between the draft budget and actual amounts where they are not associated to timing differences for the purpose of keeping Council abreast of the current financial position.

This month's report has brought to account the changes in the carried forward figures at 1st July 2016 following completion of the Fair Value revaluation of Furniture & Equipment and Plant & Equipment as at 30th June 2016. The annual financial audit has been carried out by

Lincoln's this week and we should have the final audited 2015/2016 financials by the end of next week to forward to the Department of Local Government prior to the 31st December, as required under the Act. The annual financial report will be presented to council at the February meeting and a date for the Annual Electors meeting can then be set.

Consultation:

Council Financial Records

Statutory Obligations:

Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996 require that financial activity statement reports are provided each month reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d) for that month.

The report is to be presented at either the next ordinary meeting after the end of the month, or if not prepared in time to the next ordinary meeting after that meeting.

Policy Implications:

Nil

Budget / Financial Implications:

As detailed within the attachments

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 Council receive the Monthly Financial Reports for the period ending 30th November 2016 in accordance with Section 6.4 of the Local Government Act 1995.

10.2 MANAGER OF PLANNING AND DEVELOPMENT**10.2.1 LOCAL PLANNING SCHEME NO. 6**

File Ref:	LU.PL.22
Applicant:	Not applicable
Location:	Whole of Shire
Disclosure of Officer Interest:	None
Date:	7 December 2016
Author:	Craig Pursey - Planning Officer
Authorising Officer:	Ian Fitzgerald – Chief Executive Officer
Attachments:	<ol style="list-style-type: none">1. Flowchart - Simplified preparation or adoption of a new local planning scheme2. Schedule of Submissions3. Schedule of Modifications

Summary:

In February 2016 Council resolved to adopt draft Local Planning Scheme No. 6 (the Scheme) for public advertising and to forward to the Environmental Protection Authority.

The Scheme has been advertised for 90days and 15 submissions were received.

This report recommends that Local Planning Scheme 6 be supported with a number of proposed modifications that respond to the submissions lodged.

Background:***Process so far***

1. Council considered initiating a new Local Planning Scheme at their meeting in October 2014 where it was resolved to:
 - a) Prepare a new Local Planning Scheme;
 - b) Adopt the proposed aims of the new Scheme;
 - c) Forward the appropriate Form and aims the Western Australian Planning Commission (WAPC); and
 - d) Following permission from the WAPC, commence formal advertising of the Shire's intent to prepare a new Scheme.
2. Approval from the WAPC to advertise was received on the 12th January 2015.
3. The intention to prepare a new Local Planning Scheme was then advertised in the Government Gazette, local paper and individually referred to all adjacent Shires and involved government agencies on the 17th February 2015. This advertising period closed on the 27th March 2015 during which time 9 submissions were received.
4. Halsall and Associates were engaged to prepare the new Local Planning Scheme Text and coordinate the preparation of the new Scheme Maps with the Department of Planning in late February 2015.

5. A draft Local Planning Scheme completed in May 2015, Shire officers commence review.
6. New Planning and Development (Local Planning Schemes) Regulations 2015 released in August 2015 necessitate the re-writing of much of the draft Scheme Text.
7. Draft Scheme text re-written by Halsall and Associates in new format required by WAPC and reviewed internally against Local Planning Strategy recommendations and past Council resolutions.
8. Council considered the new Scheme at their meeting in February 2016 and resolved to adopt it and advertise for public comment.
9. Scheme referred to Environmental protection Authority for review. Scheme was not formally assessed but some advice given.
10. Advertising for 90 days undertaken during which time 15 written submissions were received.
11. Now presented to Council for final approval.

The full process to prepare a new Local Planning Scheme is summarised at Attachment 1.

A copy of the Scheme has been provided to elected members earlier this year. Additional copies will be available at the Council meeting or before on request.

Comment:

Council is requested to consider the new Scheme in light of submissions received during the advertising period. Council received 15 submissions which are summarised and commented on at Attachment 2 of this report.

The major issues to come from the submissions include:

- A number of changes required in response to the latest Department of Water planning around Ravensthorpe;
- Wavecrest has proposed to be zoned 'Tourist' instead of a Special Use Site;
- The Ravensthorpe Motel requested that they are not zoned 'Tourism' but that a zone is applied that would allow for more flexibility when looking to redevelop the site;
- That the Mixed Use zone is inappropriate for the areas of the Ravensthorpe townsite previously zoned Residential because of rates increases and lack of demand for additional development in this area; and
- A recommendation from the EPA to conduct level 2 flora assessments over three sites;

A number of other issues have become apparent during the advertising period not necessarily raised during the advertising period. These include:

- The zoning plan around the Hopetoun airfield with a range of zonings applied to the land developed with the constructed airfield. It is recommended that all of the land 'beneath' the airfield be identified as a Public Purposes Reserve.
- Council resolved to not support any commercial development outside of the heavy haulage route (HHR) at their meeting in November 2013. There is at least one property outside of the HHR that has capacity for commercial development.

This resolution was supported by the Local Planning Strategy Action "

RV1 Local Planning Scheme to prevent significant retail shopping, office, commercial and social, recreational and community development outside the Ravensthorpe Town Centre zone.

This action has not been effectively translated into the Scheme and a clause is recommended to deliberately exclude service station, shop and cafe from the area immediately outside of the HHR.

A consolidated list of all recommended modifications to the scheme is provided at Attachment 3 of this report.

Consultation:

The Scheme was advertising for public comment with the submission period closing on the 18th November 2016. The process and consultation that has occurred since Council last considered the Scheme includes:

- Referral to the Environmental Protection Authority for assessment and permission to advertise;
- Referral to the Western Australian Planning Commission for assessment and permission to advertise;
- Adverts in the local paper and on Notice Boards;
- Copies of the Scheme available on the Shire website, front desk of the Ravensthorpe and Hopetoun offices and the local Community Resources Centres;
- Individual letters to those landowners with properties whose zoning is proposed for change; and
- Notification to affected and relevant government agencies.

Fifteen (15) submissions were received during the advertising period; 8 from government agencies and 7 from landowners and interested parties.

A full copy of all submissions will be made available at the Council meeting and on request.

Statutory Obligations:

A Local Planning Scheme Review is prepared under the Planning and Development (Local Planning Scheme) Regulations 2015 notably Part 4 Division 1 and under Part 5 of the Planning and Development Act 2005. The Regulations and Act will guide the process.

Once endorsed, the Local Planning Scheme will be a statutory planning document which will guide future development and land use and general planning decisions within the Shire. These will have significant force and effect given their preparation under the Regulations and Act.

This stage of the assessment process is required at clause 25 (3) of the Planning and Development (Local Planning Schemes) Regulations 2015.

Policy Implications:

The current Local Planning Policies will require review on adoption of Local Planning Scheme No.6.

Budget / Financial Implications:

There were costs in advertising the new Scheme and in consultancy fees in preparing both the Scheme Text and Scheme Maps. There will be additional costs in modifying the Scheme Maps and Text.

Strategic Implications:

The new Scheme will assist the Council achieve the outcomes of its Community Strategic Plan including:

4.2.1. *High quality corporate governance, accountability and compliance*

Sustainability Implications:

- **Environmental:**
These have been assessed by the EPA and found to be largely satisfactory.
- **Economic:**
The changing of zones and land use controls through the Scheme will have economic ramifications for individual land owners, on a case by case basis. The Shire should benefit from the new Scheme with clearer guidelines and a number of strategies enacted through the new Scheme.
- **Social:**
Changes to the Town Centre zones should assist in facilitating identifiable, concentrated commercial areas in the Shire to the benefit of the residents and visitors.

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION

ITEM 10.2.1

That Council, in accordance with Regulation Reg25(2) & (3) of the Planning and Development (Local Planning Scheme) Regulations 2015,

1. Determine the submissions received during the advertising period in accordance with the attached Schedule of Submissions found at Attachment 2 of this report;
2. Support Local Planning Scheme No.6 subject to the modifications listed in the Schedule of Modifications found at Attachment 3 of this report.
3. Pursuant to Regulation 28 of the Planning and Development (Local Planning Scheme) Regulations 2015 Local Planning Scheme No.6 and associated Schedules be forwarded to the Western Australian Planning Commission for final approval.

10.3 MANAGER OF ENGINEERING SERVICES

NIL

10.4 CHIEF EXECUTIVE OFFICER**10.4.1 COUNCIL ORDINARY ELECTIONS 2017****File Ref:**

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	1 st December 2016
Author:	Ian Fitzgerald – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Nil

Summary:

The Electoral Commission has commenced planning for the 2017 Local Government Elections. Given the successful operation of the 2015 Shire of Ravensthorpe elections, it is recommended that the Electoral Commissioner is again appointed to be responsible for the 2017 Ordinary Election.

Background:

The West Australian Electoral Commission has commenced planning for the 2017 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 2015 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 arm’s 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 2015 Ordinary Elections will be approximately \$14,000 inclusive of GST. This cost will be incurred during the 2017/18 financial year and will therefore be considered during the 2017/18 budget deliberations.

Strategic Implications:

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

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 10.4.1

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 2017 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 2017 election will be as a postal election.

10.4.2 AIRPORT LAND LEASE – AGREEMENT EXTENSION**File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 9th December 2016**Author:** Ian Fitzgerald – Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:**

Summary:

In February 2013 Council authorised the Chief Executive Officer to call tenders for the lease of the farm land surrounding the Ravensthorpe Airport. Council also delegated authority for the Chief Executive Officer to award the tender.

Subsequently the tender was awarded to Redman Farms for 5 years commencing 1 April 2013, plus a 2 year option.

Mr Stott Redman of Reman Farms has requested the 2 year option be exercised to allow him forward plan activities on the land.

Background:

Council resolved in February 2013 to enter into a lease of the farm land it owns surrounding the Ravensthorpe Airport as a means of controlling weeds on the land and generally improving the quality of the land for cropping purposes.

Comment:

The current lease commenced on 1st April 2013 and had a term of 5 years and also included an option of a further 2 years. The lease document does not outline who or how that 2 year option can be exercised. The matter is therefore brought to Council for their consideration.

Mr Redman has requested the 2 year option be exercised to allow him to include the land in his farm planning process.

The land is being well maintained and no issues have been noted with the current lease arrangement.

Consultation:

Airport Manager, Steve Mcquire

Statutory Obligations:

Local Government Act 1995 – section 3.58.

Policy Implications:

Nil

Budget / Financial Implications:

The valuation obtained prior to the current lease being entered into was for a lease fee of \$34,250 p.a. The current lease fee is \$10,000 p.a. due to the amount of money the lessee incurs in weed control etc.

Strategic Implications:

Nil

Sustainability Implications:

- **Environmental:**
The lessee is required to control weeds including lovegrass and apple sodum on the land as a part of the lease arrangement.
- **Economic:**
There are no known significant economic considerations.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION

ITEM 10.4.2

That Council agree to the 2 year option contained in the lease with Redman Farms for portions of Lots 759 and 82 Jerdacuttup Road being exercised with a new lease termination date of 1 April 2020.

10.4.3 ATM LICENCE AGREEMENT - BANKWEST

File Ref:**Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 9th December 2016**Author:** Ian Fitzgerald – Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:****Summary:**

In November 2015 Council gave authority for the Chief Executive Officer to enter into formal discussions with Bankwest to have an ATM installed in Ravensthorpe.

The ATM has now been installed and Council is requested to authorise the Shire President and Chief Executive Officer to sign the formal ATM Licence Agreement with Bankwest.

Background:

Council resolved in November 2015 as below:

OFFICER RECOMMENDATION AND COUNCIL DECISION	ITEM 13.1
Moved: Cr Norman	Seconded: Cr Dickinson
That Council:	
<ul style="list-style-type: none"> a) Authorise the Chief Executive Officer to enter into formal discussions with Bankwest for the provision of an Automatic Teller Machine in Ravensthorpe b) That an offer to meet up to 2/3 of the annual running costs to a maximum of \$30,000 per annum be made by Council c) That Council offer to engage Bankwest to provide their banking services as a part of the negotiations to have an Automatic Teller Machine installed in Ravensthorpe 	
Carried by absolute majority: 7/0	Res: 135/15

Comment:

After protracted negotiations with Bankwest and the need for a disabled access platform to be constructed an ATM has been installed in the wall of the Shire Administration building. The final internet communications systems are due for commissioning on Friday 9th December at which time the machine should be available for general use.

The licence agreement outlines the terms including:

- a) Term of 5 years initially – commencing 6th December 2016
- b) Council to meet two thirds of the cash servicing and maintenance costs up to a maximum of \$30,000 per year
- c) Council to maintain their transactional banking with Bankwest for at least 5 years
- d) Perform ATM fault reactivation as advised by the bank (card clearing, cash jams, machine resets)

The conditions outlined in the Licence Agreement are as authorised by Council in November 2015.

The ATM will provide a source of cash for residents and visitors 24/7 and take some pressure off local businesses that are requested to provide cash when the Post Office is closed.

Consultation:

Bankwest

Statutory Obligations:

Local Government Act 1995 – section 3.58.

Policy Implications:

Nil

Budget / Financial Implications:

The contribution Council is required to make towards maintenance as a part of the agreement forms part of the 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 10.4.3

That Council authorise the Shire President and Chief Executive Officer to sign, under seal, the Bankwest ATM Licence Agreement.

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

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

12.1 ELECTED MEMBERS

12.2 OFFICERS

13. MATTERS BEHIND CLOSED DOORS

14. CLOSURE OF MEETING