



AGENDA

For the Council Meeting to be held on

Monday March 17, 2016

Commencing at 5 p.m.

In the Community Centre, Hopetoun.



SHIRE OF RAVENSTHORPE

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Ian Fitzgerald
Chief Executive Officer

9/03/2016

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WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL

NOTE: USE ONE FORM PER DECLARATION

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

Agenda item (3) _____

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

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

The nature of my interest is (5)

The extent of my interest is (6)

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

Signature

Date

RECEIVED BY:

Chief Executive Officer

Date

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



**SHIRE OF RAVENSTHORPE
WORKS REQUEST FORM**

Name: _____

Date: ____/____/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 COMMUNITY CENTRE, HOPETOUN
ON 17 MARCH 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 Kerry Dickinson
Cr Sharyn Gairen
Cr Ian Goldfinch
Cr Ken Norman
Cr Peter Smith

STAFF: Ian Fitzgerald (Chief Executive Officer)
Jenny Goodbourn (Acting Manager of Corporate and Community Services)
Darryn Watkins (Manager Engineering Services)
Portia Ridout (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 – 18 FEBRUARY, 2016**

OFFICER RECOMMENDATION

ITEM 7.1

That the minutes of the meeting of council held on 18 February, 2016 be confirmed as a true and correct record of proceedings.

7.2 COUNCIL MEETING – 14 MARCH, 2016

OFFICER RECOMMENDATION

ITEM 7.1

That the minutes of the special meeting of council held on 14 March, 2016 be confirmed as a true and correct record of proceedings.

8. SUSPENSION OF STANDING ORDERS

NIL

9. ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS

10. REPORTS OF OFFICERS

10.1 ACTING MANAGER OF CORPORATE AND COMMUNITY SERVICES

10.1.1 LICENCE – HOPETOUN CRC

File Ref:	CP.LO.9
Applicant:	Not Applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	4 March 2016
Author:	Jenny Goodbourn - AMCCS
Authorising Officer:	Not applicable
Attachments:	Draft Licence Agreement

Summary:

This item is to review and update the Licence for the occupation of part of the Hopetoun Community Centre by the Hopetoun Community Resource Centre. The recommendation is to endorse the licence and authorise the Chief Executive Officer and Shire President to execute the documents once they have been approved by the Department of Land.

Background:

The Hopetoun Community Resource Centre currently has a lease agreement that was for a term on ten years from 1 November 2008, however with the major changes to the building that have recently been completed it would be prudent to update the licence to reflect the current situation.

Comment:

Following the refurbishment and extension of the Hopetoun Community Resource Centre a new licence agreement has been drawn up to take into account the changes that have happened. Previously the lease did not charge any rent or rates but all utilities were paid direct by the CRC. There is now only one electricity meter at the building so it will not be able to split the direct usage costs as it was. In lieu of this it is suggested that there is an annual licence fee of \$3,000.

The licence will be for an initial term of 9 years and 7 months to bring the end date in line with the financial year 30 June 2025 with a further 10 year term after that.

The CEO and AMCCS met with representatives of the Hopetoun CRC on the 25th February to go through the draft lease. The draft has been sent to the Department of Land for the Minister's in-kind approval. Subject to that if council are happy with the draft then it can be progressed to execution.

Consultation:

McLeods

Hopetoun CRC – Karinna Smallman & Kay Wilson

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

Nil.

Strategic Implications:

This item relates to one of the key themes in Council's Strategic Plan being the "the provision of adequate services and infrastructure to cater for the regional community.

Sustainability Implications:

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

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

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

Voting Requirements:

Simple Majority

OFFICER RECOMMENDATION**ITEM 10.1.1**

That Council;

1. Endorse the draft Licence agreement provided in the attachment – Licence – Part Reserve 35584, Lot 727 Veal Street, Hopetoun commencing 1st December 2015 for an initial term of 9 years and 7 months.
2. Following approval by the Minister for Lands- Authorise the Chief Executive Officer and Shire President to execute the Licence agreement with Hopetoun Community Resource Centre.

10.1.2 SCHEDULE OF ACCOUNT PAYMENTS – FEBRUARY 2016
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File Ref:

Applicant: Not applicable

Location: Not applicable

Disclosure of Officer Interest: None

Date: 29th February 2016

Author: Ashleigh Stade – Creditors/Payroll Officer

Authorising Officer: Jenny Goodbourn, Acting Manager Corporate & Community Services

Attachments: Schedule of Payments to 29th February, 2016
Credit Card Transactions to 25th February, 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:
29th February 2016

FUND	PAYMENT	VOUCHERS	AMOUNTS
Municipal Account	EFTs	EFT5245-EFT5372	\$708,985.55
		40061-40097	\$56,271.63
	Municipal Fund Cheques		
Payroll	Dates	03/02/2016 17/02/2016	\$173,899.02
Bank Fees			\$366.98
Municipal Account Total			\$939,523.20
Shire Credit Card Facility	Westpac VISA	27/01/2016- 25/02/2016	\$3,591.63
Trust Account Payments	EFTs	EFT5322-EFT5373	\$64,530.90
	Cheques	1350-1353	\$160.00
Grand Total			\$1,007,805.71

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:

Not applicable.

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 subregulation (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:

Nil

Budget / Financial Implications:

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

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 February 2016, be noted.

10.1.3 MONTHLY FINANCIAL REPORT – 29 FEBRUARY 2016**File Ref:**

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	04 March 2016
Author:	Jenny Goodbourn – Acting Manager of Corporate & Community Services
Authorising Officer:	Not applicable
Attachments:	Yes – Monthly Financial Report–February 2016

Summary:

This report presents the monthly financial reports for February 2016 to Council which is provided as an attachment to the agenda. The recommendation is to receive the February 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 2015/2016 Budget adopted by Council on 20 August 2015. 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.

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 10.1.3

That Council receive the Monthly Financial Reports for the period ending 29 February 2016 in accordance with Section 6.4 of the Local Government Act 1995.

10.1.4 LICENCE – HOPETOUN PROGRESS ASSOCIATION

File Ref:	CP.LO.9
Applicant:	Not Applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	4 March 2016
Author:	Jenny Goodbourn - AMCCS
Authorising Officer:	Not applicable
Attachments:	Draft Licence Agreement

Summary:

This item is to review and update the Licence for the occupation of part of the Hopetoun Community Centre by the Hopetoun Progress Association. The recommendation is to endorse the licence and authorise the Chief Executive Officer and Shire President to execute the documents once they have been approved by the Department of Land.

Background:

The Hopetoun Progress Association had a 21 year lease with the shire which ran from 1st August 1994. This would have expired last year but as the new building was under construction it was decided to wait and formalise a new lease in connection with the revised premises in the new building.

Comment:

Following the completion of the new Hopetoun Community Centre the Hopetoun Progress Association have moved into two new rooms and a store room within the new building. A new licence agreement has been drawn up to take into account the changes that have happened. Previously the lease charged a peppercorn rent of \$1.00 per year and utilities were paid direct by the Progress Association. There is now only one electricity meter at the building so it will not be able to split the direct usage costs as it was. In lieu of this it is suggested that there is an annual licence fee of \$450.

The licence will be for an initial term of 9 years and 5 months to bring the end date in line with the financial year 30 June 2025 with a further 10 year term after that.

The draft has been sent to the Department of Land for the Minister's in-kind approval. Subject to that if council are happy with the draft then it can be progressed to execution.

Consultation:

McLeods
Hopetoun Progress Association

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

Nil.

Strategic Implications:

This item relates to one of the key themes in Council's Strategic Plan being the "the provision of adequate services and infrastructure to cater for the regional community.

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;

3. Endorse the draft Licence agreement provided in the attachment – Licence – Part Reserve 35584, Lot 727 Veal Street, Hopetoun between the Shire of Ravensthorpe and the Hopetoun Progress Association commencing 1st February 2016 for an initial term of 9 years and 5 months.
4. Following approval by the Minister for Lands- Authorise the Chief Executive Officer and Shire President to execute the Licence agreement with Hopetoun Progress Association.

10.2 MANAGER OF PLANNING AND DEVELOPMENT**10.2.1 PROPOSED CAFÉ AT 71 MORGANS STREET, RAVENSTHORPE**

File Ref:	A616
Applicant:	Ms Melony Hyde
Location:	Lots 400 & 401 (#71) Morgans Street, Ravensthorpe
Disclosure of Officer Interest:	None
Date:	3 rd March 2016
Author:	Craig Pursey, Planning Officer
Authorising Officer:	Ian Fitzgerald – Chief Executive Officer
Attachments:	Planning application

Summary:

Council has received an application to convert a portion of the existing building at 71 Morgans Street, Ravensthorpe to a café selling take away coffee, drinks and food.

The application is permitted in the 'Town Centre' zone. The proposal is of a small scale and will offer another service to locals and visitors. A relaxation of the usual parking requirement has been requested.

The application is supported subject to conditions.

Background:

Lots 400 and 401 (#71) Morgans Street, Ravensthorpe has a combined area of 1012m² and is zoned 'Town Centre' by the Shire's Town Planning Scheme No.5 (the Scheme).

71 Morgans Street is developed with an existing building currently used as a residence, a large stone shed and a smaller metal shed.

The property is accessed by vehicles from a steep driveway at the front from Morgans Street and has vehicular access from the laneway to the rear.



71 Morgans edged in red

Previous Approvals

Council considered the same proposal in November 2005 and approved it subject to conditions including:

- *Provision of fire walls and doors between the commercial and residential portions of the premises in accordance with the requirements of the Building Code of Australia and to the satisfaction of Council Manager Environmental Health and Building Services;*
- *Appropriate measures being taken to separate the domestic kitchen use from the food preparation area for the restaurant to the satisfaction of Council's Manager Environmental Health and Building Services;*
- *Provision of adequate light and ventilation to the residential component of the premises to the satisfaction of Council's Manager Environmental Health and Building Services; and*
- *Car parking for staff and residents of the caretaker's dwelling to be provided on site.*

This approval allowed for some parking to be provided by existing bays located in Morgans Street.

Comment:**Proposal**

Council has received a planning application to convert the existing building at 71 Morgans Street, Ravensthorpe from a residence to a café and caretakers. The proposal includes the following elements:

- A small take-away coffee, drinks and food 'bar';
- Use the eastern side of the building for commercial purposes and retain the western and northern sides for a caretaker's residence;
- Develop the eastern side of the building with a kitchen and eating area;
- Add a wooden decking area on the eastern side of the building;
- Provide a ramped entry from Morgans Street.
- Utilise the existing parking Morgans Street; and

A full copy of the written application and plans is attached to this report.

Assessment

The proposed land use is considered to be a restaurant by Town Planning Scheme No.5 as a 'restaurant is defined as:

"Restaurant" means premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons, and the term shall include a licensed restaurant."

A restaurant is a permitted use in the 'Town Centre' zone.

Parking

The Scheme lists no specific requirements for restaurants with the exception of a car parking requirement as follows:

1 space for every 5 seats or 1 space for every 5 square metres of seating area, whichever is greater.

Although the café is intended to be primarily takeaway approximately 30m² of floor space is proposed with a parking requirement of 6 bays. This is usually provided on site by the

developer. In this case the applicant has asked Council to consider allowing the use of the existing parking bays in Morgans Street to serve as the parking bays for the development. This is based on the development being only small in size, primarily takeaway, there being no space in the front half of the property to provide parking and the development of parking would be an overhead that would prevent the development proceeding.

Council has four options regarding the provision of parking bays. These are addressed in the table below.

Parking Clause/option	Officer comment
5.9 Parking is to be provided at a rate in accordance with Schedule 14 of the Shire (reproduced above) generally on the site of the proposed development	<p>There is space on the site to provide up to 6 bays at the rear of the site.</p> <p>However, they would be accessed from Morgans Street up a reasonably steep crossover or the rear laneway which is not supported by Council's laneway policy.</p>
<p>Where on-street car parking is specifically provided for immediately adjacent to the frontage of the development site, the local government may accept such facilities as part of the required car parking. On-street parking facilities are only to be credited towards car parking where:</p> <p>(a) use of such facilities to service the development site would not prejudice an adjacent development or adversely affect the safety or amenity of the locality; and</p> <p>(b) any such on-street car parking will remain available to the general public during peak demand periods for the development site towards which the parking facilities have been credited</p>	<p>There are 8 angled parking bays in Morgans Street immediately adjacent to the subject site. These currently service the post office and occasionally the IGA across the road. They are rarely fully occupied.</p> <p>The proposed streetscape works propose to convert the 8 angled bays to 6 parallel bays over time.</p> <p>The bays could be safely used and would not be for the exclusive use of the proposed café.</p> <p>Should they be full then clients of the café could park elsewhere in the main street.</p>
5.10 of the Scheme allows Council to require a cash-in-lieu payment for the parking bays as another option	<p>Council has applied this requirement on many previous planning applications.</p> <p>Importantly, if cash in lieu is required then there must be space within reasonable proximity to use the money on the provision of parking.</p> <p>This is usually only applied where there is insufficient space or it not desirable to provide parking on the subject site.</p>
5.11 allows for adjacent or nearby land uses to share a common car parking space with appropriate controls and tenure being put in place.	Not applicable.

Council has the option of requiring the applicant to provide 5 bays on their site and that these must be paved, kerbed, marked and drained. It is highly likely that a modest proposal like this could not bear the overhead.

Alternatively, the existing bays in Morgans Street could be used to service the proposed café as they are immediately adjacent to the café and would be the natural place for people to park in any case. Staff and caretakers parking could be accommodated at the rear of the site.

This report recommends supporting and encouraging small commercial land uses which add interest, activity and attractions to the main street and allow for the use of the existing bays in Morgans Street to act as the café's parking.

Existing Boundaries

The existing buildings straddle two lots; Lot 400 and Lot 401 Morgans Street. It is common practice to require that these lots be amalgamated whenever the land use changes or the property is further developed. This is because the boundary technically forms the "fire source feature" when applying the Building Code of Australia and this causes issues if it runs through the idle of buildings.

Consultation:

Internal only - Building Surveyor and Environmental Health Officer

Statutory Obligations:

The proposed cafe is considered development under Town Planning Scheme No.5 and requires planning approval and a Building Permit.

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

Policy Implications:

No existing policy is affected by the proposal.

It may be desirable to draft a Town Centre policy to clarify Council's position on parking and built form in the town centre at some time in the future.

Budget / Financial Implications:

None for Council.

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;

1. Approve the application lodged by Ms Melony Hyde for a proposed café (restaurant) at Lots 400 & 401 (#71) Morgans Street, Ravensthorpe subject to the following conditions:
 - (i) Development shall be carried out and fully implemented in accordance with the approved plans.
 - (ii) All runoff from impervious surfaces being contained within the property and disposed of to the Shire of Ravensthorpe's satisfaction.
 - (iii) Car parking for staff and residents of the caretaker's dwelling to be provided on site.
 - (iv) The amalgamation of Lots 400 & 401 being completed prior to the occupation of the café.
 - (v) One (1) disabled parking bay being provided immediately adjacent to the proposed cafe and that bay is to be constructed, properly drained and sealed to the satisfaction of the Shire.
2. Advise the applicant in footnotes on the planning approval that;
 - a) Planning approval is not consent to open the café, separate registration as a food premises under the Food Act and a Building Permit for the change of classification is required prior to opening.
 - b) The building permit and food registration process is likely to require appropriate measures being taken to separate the domestic kitchen use from the food preparation area for the restaurant and the provision of a fire wall and doors between the commercial and residential portions of the premises;

10.3 MANAGER OF ENGINEERING SERVICES

10.3.1 PLANT PURCHASES – STEEL DRUM ROLLER

File Ref:**Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 4th March 2016**Author:** Darryn Watkins – Manager Engineering Services**Authorising Officer:** Ian Fitzgerald – Chief Executive Officer**Attachments:** None

Summary:

Council to approve the purchase of a new steel drum self-propelled vibratory roller.

Background:

The shire currently owns a 2007 Ammann ASC110D steel drum self-propelled vibratory roller. This machine is showing 4400 hrs on the hour meter.

Comment:

The Ammann ASC110D roller is now overdue for replacement. This machine was scheduled for replacement a number of years ago however the purchase of a replacement machine was deferred due to financial constraints at the time.

Due to the self-destructive nature of vibratory rollers with the function performed in civil construction it is recommended that these machines are replaced every four years to minimize overall operating costs and maintain optimum resale value. The existing machine is now nine years old and showing considerable wear and fatigue.

Although there are a number of manufacturers in the market for these types of machines the officer requested quotations from the two market leaders in the manufacture of soil compaction equipment.

Request for quotations were sent to Westrac and Tutt Bryant Equipment for the supply of a comparable unit to the Amman ASC110D. The quotations received are summarised below:

<u>Supplier</u>	<u>Machine</u>	<u>Warranty</u>	<u>Nett Changeover Price</u>
Tutt Bryant	BW211D	4yr/4000hrs	\$115,000 excluding GST
Westrac	CS56B	4yr/4000krs	\$121,275 excluding GST

Consultation:

Chief Executive Officer

Works Supervisor

Statutory Obligations:

As part of compliance with the Local Government Act 1995 (WA) the Western Australian Local Government association (WALGA) have provided a procurement procedure and handbook for the purchase of goods and services without the need for long and costly tenders. Tutt Bryant Equipment is a WALGA approved supplier under contract C023_11.

Policy Implications:

The plant purchase is in accordance with Council Vehicle Policy A16.

Budget / Financial Implications:

The amount of \$146,500 has been allocated in the 2015/2016 Statutory Budget for the purchase of this item of plant.

Strategic Implications:

The plant purchase is in accordance with the 2015/2016 Plant Replacement Program.

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 10.3.1

That budgeted expenditure of \$115,000 excluding GST for the purchase of a new Bomag BW211D Steel Drum Roller be approved.

10.4 CHIEF EXECUTIVE OFFICER

10.4.1 ANNUAL GENERAL MEETING OF ELECTORS – 10 FEBRUARY 2016

File Ref:**Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 8 March 2016**Author:** Ian Fitzgerald – Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:** Yes –Copy of the Meeting Minutes

Summary:

The purpose of this report is to consider the minutes of the Annual General Meeting of Electors held on 10th February 2016.

Background:

The Annual General Meeting was held in accordance with the Local Government Act 1995 to receive the Annual Report for 2014/2015 and to give electors the opportunity to raise issues pertinent to the Local Government and Shire.

Comment:

Council is required to consider resolutions arising from the meeting and indicate how those matters will be addressed.

Whilst there were a number of matters raised there were no motions passed and therefore no action is required by Council.

Items raised under general business will be attended to by staff, as required.

Consultation:

Not applicable.

Statutory Obligations:

Sections 5.27 of the Local Government Act 1995, a General Meeting of the Electors of a district is to be held once every financial year.

Further, pursuant to Section 5.32 of the Act, copies of the minutes are to be made available for inspection by members of the public before the Council meeting at which

decisions made at the electors meeting are first considered
Further, pursuant to Section 5.33 of the Act all decisions made at an electors meeting are to be considered at the next ordinary meeting of the Council where practicable.

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 10.4.1

That the minutes of the Annual General Meeting of Electors held on 10th February 2016, be received.

10.4.2 RAVENSTHORPE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING**File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 8th March, 2016**Author:** Ashley Peczka – Community Emergency Services
Officer**Authorising Officer:** Ian Fitzgerald – Chief Executive Officer**Attachments:** Yes – Minutes are attached
Yes – Copy of Local Emergency Management
Arrangements attached.**Summary:**

The minutes of the Shire of Ravensthorpe Local Emergency Management Committee meeting held on 2 March, 2016 are presented for the information of Councillors. There are no recommendations for Council to consider.

Background:

Council has approved the updated Local Emergency Management Arrangements (LEMA) at December's Council Meeting. Further information has been received from the State Emergency Management Committee (SEMC) requiring the following additional information to be added into the current LEMA's. They are;

- Definition of a "Controlling Agency" within the Glossary Section.
- Additional column to Table 7 to outline who is the "Controlling Agency" per hazard.
- A list of Critical Infrastructure within the Shire needed to be attached.

It has also provided an opportunity to update the contact sheet to our LEMC membership with new people taking over roles and also update Shire contact details

Comment:

The Local Emergency Management Committee made one recommendation for Council to consider at this meeting. Require the Council to accept the minutes received from the recent LEMC meeting and also approved additional changes to the Local Emergency Management Arrangements.

Consultation:

Nil

Statutory Obligations:

Emergency Management Act, 2005

Policy Implications:

Shire of Ravensthorpe Local Emergency Management Committee operational guidelines.

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

<p>OFFICER RECOMMENDATION</p> <p>That the Minutes of the Shire of Ravensthorpe Local Emergency Management Committee meeting held on 2nd March, 2016 be received and adopt recommend changes to the Local Emergency Management Arrangements</p>	<p>ITEM 10.4.2</p>
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10.2.3 AUDIT COMMITTEE - COMPLIANCE AUDIT RETURN - 2015

File Ref:	Audit
Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	15 March, 2016
Author:	Ian Fitzgerald – Chief Executive Officer
Authorising Officer:	
Attachments:	Yes – Completed Compliance Audit Return 2015

Summary:

This report recommends the receipt of the minutes of the Audit Committee held on 14th March 2016 and adoption of the recommendations contained therein.

Background:

The Local Government Act, 1995 requires each Local Government to complete a Compliance Audit Return each year.

The document is produced by the Department of Local Government and is designed to be a tool for Local Government, allowing it to identify areas where compliance with the Local Government Act, 1995 and other legislation has not been met and then to implement processes to ensure that instances of non-compliance do not continue.

Comment:

The completed Compliance Audit Return 2015 was presented to the Audit Committee on 14th March 2016. Through the audit process no items of non-compliance were identified.

The Audit Committee has recommended adoption of the return and submission to the Department of Local Government and Communities.

Consultation:

Not applicable – Public consultation not required.

Statutory Obligations:

Regulations 14 and 15 of the Local Government (Audit) Regulations provide for the completion, adoption and certification of the Return. The Regulations require the certified return to be submitted to the Department of Local Government by 31 March 2016.

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 10.2.3

That the minutes of the Audit Committee held on 14 March 2016 be received and the Local Government Compliance Audit Return for the period 1 January 2015 to 31 December 2015 be adopted as per the Audit Committee's recommendation.

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