

AGENDA

For the Council Meeting to be held on

Thursday 16 November 2017

Commencing at 5:00pm

In the Council Chambers, Ravensthorpe.



SHIRE OF RAVENSTHORPE

DISCLAIMER

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In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of Ravensthorpe Shire Council during the course of any meeting is not intended to be and is not taken as notice of approval from the Ravensthorpe Shire Council. The Ravensthorpe Shire Council warns that anyone who has an application lodged with the Ravensthorpe Shire Council must obtain and only should rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Ravensthorpe Shire Council in respect of the application.

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

Ian Fitzgerald
Chief Executive Officer

7 November, 2017

65 Morgans Street Ravensthorpe WA 6346
Tel (08) 9839000; Fax (08) 98381282
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)

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 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: ____/____/2017 Urgency: Low / Medium / High / Strategic

Road / Public Building / Area: _____

Request: _____

Description:

OFFICE USE ONLY:

Action Taken:

Comment:

Completed: ____/____/2017 Signature: _____

Inspected and/or authorised: _____
Chief Executive Officer



Application for Leave of Absence

(Pursuant to Section 2.25 of the Local Government Act 1995 (as amended))

- (1) A council may, by resolution, grant leave of absence to a member.
- (2) Leave is not to be granted to a member in respect to more than 6 consecutive ordinary meetings of the Council without the approval of the Minister.
- (3) The granting of the leave is to be recorded in the minutes of the meeting.
- (4) A member who is absent without first obtaining leave of the Council throughout 3 consecutive ordinary meetings of the Council is disqualified from continuing his or her membership of the Council.
- (5) The non-attendance of a member at the time and place appointed for an ordinary meeting of the Council does not constitute absence from an ordinary meeting of Council –
 - (a) if no meeting of the Council at which a quorum is present is actually held on that day; or
 - (b) if the non-attendance occurs while –
 - (i) the member has ceased to act as a member after which written notice has been given to the member under Section 2.27 (3) and before written notice has been given to the member under Section 2.27 (5);
 - (ii) while proceedings in connection with the disqualification of the member have been commenced and are pending; or
 - (iii) while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending.

I,, hereby apply for Leave of Absence from the Ravensthorpe Shire Council from..... to for the purpose of

Signed:..... Date:.....



Shire of Ravensthorpe Notice of Ordinary Council Meetings

In accordance with the Local Government Act 1995 and Administration Regulation 12 (I) it, is hereby notified that as from January 2017 to December 2017, Ordinary Council meetings of the Shire of Ravensthorpe will be held as follows:

| DATE/TIME | VENUE | START TIME |
|--------------------------|---|------------|
| January 2017 | No meetings scheduled | |
| 13 February 2017 | Forum - Ravensthorpe Council Chambers | 1 pm |
| 16 February 2017 | Council - Ravensthorpe Council Chambers | 5 pm |
| 13 March 2017 | Forum - Ravensthorpe Council Chambers | 1 pm |
| 16 March 2017 | Council - Hopetoun Community Centre | 5 pm |
| 24 April 2017 | Forum - Ravensthorpe Council Chambers | 1 pm |
| 27 April 2017 | Council - Ravensthorpe Council Chambers | 5 pm |
| 15 May 2017 | Forum - Ravensthorpe Council Chambers | 1 pm |
| 18 May 2017 | Council - Hopetoun Community Centre | 5 pm |
| 12 June 2017 | Forum - Ravensthorpe Council Chambers | 1 pm |
| 15 June 2017 | Council - Ravensthorpe Council Chambers | 5 pm |
| 17 July 2017 | Forum - Ravensthorpe Council Chambers | 1 pm |
| 20 July 2017 | Council - Hopetoun Community Centre | 5 pm |
| 14 August 2017 | Forum - Ravensthorpe Council Chambers | 1 pm |
| 17 August 2017 | Council - Ravensthorpe Council Chambers | 5 pm |
| 18 September 2017 | Forum - Ravensthorpe Council Chambers | 1 pm |
| 21 September 2017 | Council - Munglilup Recreation Centre | 5 pm |
| 16 October 2017 | Forum - Ravensthorpe Council Chambers | 1 pm |
| 19 October 2017 | Council - Hopetoun Community Centre | 5 pm |
| 23 October 2017 | Council - Ravensthorpe Council Chambers – Special Meeting post bi-annual elections | 4 pm |
| 13 November 2017 | Forum - Ravensthorpe Council Chambers | 1 pm |
| 16 November 2017 | Council - Ravensthorpe Council Chambers | 5 pm |
| 18 December 2017 | Forum - Ravensthorpe Council Chambers | 1 pm |
| 21 December 2017 | Council - Hopetoun Community Centre | 5 pm |

Ratepayers and residents are welcome to attend the council meetings and participate in the Public Question time session which are held at the beginning of each Council Meeting.

Ian Fitzgerald
Chief Executive Officer

ORDINARY MEETING OF COUNCIL
TO BE HELD IN THE COUNCIL CHAMBERS, RAVENSTHORPE
ON 16 NOVEMBER 2017, COMMENCING AT 5:00PM

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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 Jules Belli (Deputy Shire President)
 Cr Kerry Dickinson
 Cr Ian Goldfinch
 Cr Tom Major
 Cr Graham Richardson
 Cr Peter Smith

STAFF: Ian Fitzgerald (Chief Executive Officer)
 Jenny Goodbourn (Manager of Corporate and Community Services)
 Darryn Watkins (Manager Engineering Services)
 Portia Chambers (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 SPECIAL COUNCIL MEETING: 16 OCTOBER, 2017

| | |
|--|----------|
| OFFICER RECOMMENDATION | ITEM 7.1 |
| That the minutes of the special meeting of council held on 16 October 2017 be confirmed as a true and correct record of proceedings. | |

7.2 COUNCIL MEETING: 19 OCTOBER, 2017

| | |
|--|----------|
| OFFICER RECOMMENDATION | ITEM 7.2 |
| That the minutes of the meeting of council held on 19 October 2017 be confirmed as a true and correct record of proceedings. | |

7.3 SPECIAL COUNCIL MEETING: 23 OCTOBER, 2017

OFFICER RECOMMENDATION

ITEM 7.3

That the minutes of the special meeting of council held on 23 October 2017 be confirmed as a true and correct record of proceedings.

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 – OCTOBER 2017****File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 31 October, 2017**Author:** Eimear Guidera – Payroll/Creditors Officer**Authorising Officer:** Stacey Howard – Senior Finance Officer**Attachments:** Schedule of Payments to 31 October, 2017
Credit Card Transactions to 01 November, 2017**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:**31 October 2017**

| FUND | PAYMENT | VOUCHERS | AMOUNTS |
|-----------------------------------|------------------------|---------------------------|---------------------|
| Municipal Account | EFTs | EFT7660-EFT7786 | \$617,064.01 |
| | | Direct Debit | \$5,282.54 |
| | Municipal Fund Cheques | 0000190 – 000202 | \$24,464.11 |
| Payroll | Dates | 11/10/2017 25/10/2017 | \$198,695.26 |
| Superannuation | | Direct Debit | \$24,493.98 |
| Bank Fees | | | \$1,601.65 |
| Municipal Account Total | | | \$871,601.55 |
| Shire Credit Card Facility | Westpac VISA | 03/10/2017- 01/11/2017 | \$6,093.86 |
| Trust Account Payments | EFTs | EFT7701-EFT7793 | \$29,378.30 |
| | Cheques | 000027-00029 | \$240.00 |
| Grand Total | | | \$907,313.71 |

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:

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 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:

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 October 2017, be noted.

10.1.2 MONTHLY FINANCIAL REPORT – 31ST OCTOBER 2017**File Ref:****Applicant:****Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 3rd November 2017**Author:** Jenny Goodbourn – Manager Corporate & Community Services**Authorising Officer:** Not applicable**Attachments:** Yes – Monthly Financial Reports for October 2017

Summary:

This report presents the monthly financial reports for October 2017 to Council which is provided as an attachment to the agenda. The recommendation is to receive the September 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 2017/2018 Budget adopted by Council on 17 August 2017. 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.

The actual opening figures contained in the report are subject to final audit and could possibly change following the annual audit which will be undertaken by the end of November – the auditors are attending the shire in the week commencing 20th November. The final accounts will be confirmed by the auditors and presented to council as part of the annual financial report for 2016/2017.

Consultation:

Council Financial Records

Senior Finance Officer

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 31 st October 2017 in accordance with Section 6.4 of the Local Government Act 1995. | |

10.1.3 RETURNING OFFICER'S REPORT ON THE ELECTION**File Ref:****Applicant:****Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 7th November 2017**Author:** Jenny Goodbourn – Manager Corporate & Community Services**Authorising Officer:** Not Applicable**Attachments:** Nil

Summary:

To provide council with a report on the recent Local Government Election held on Saturday 21st October.

Background:

One of the duties of a Returning Officer is to present a report to council at the first meeting following the election.

Comment:**[Nominations](#)**

We received a total of 8 nominations for the three vacant positions on council. All of the candidates used the online nomination builder. This seemed to work very well and presented a uniform and consistent profile for all candidates. It also updated information automatically to the WAEC assisting them with the production of ballot papers and candidate information.

[Close of nominations and draw for position on the ballot paper](#)

At the close of nominations I carried out the draw for positions on the ballot paper. I had invited all the nominees to attend the draw if they wished but only one candidate did. The draw was carried out at the shire administration office and several LG staff were there to witness the draw. Once the draw was completed the details were entered onto the LG40 and displayed with the candidate profiles. I then emailed a copy of the form out to all candidates to advise them of the outcome of the draw.

[Receipt of election packages to local Government offices](#)

Replacement election packages were received on the 29th September ready for anyone that needed to apply for papers to be reissued. They were received in plenty of time to allow for distribution to both the Ravensthorpe and Hopetoun offices to deal with replacement and/or provisional requests.

Count - operations

We used CountWA – a software programme provided by the electoral commission. I got the local government IT people to install and set-up the programme onto the computers that were going to be used on the election night and gave it all a trial run to make sure it would work in the set-up we would have that day. We found it easy to use and simple to navigate through. All ballot papers were entered into the system and the count and results automatically tallied for us. The WAEC counted any votes they had received in the last week and sent through details of the mini count to be added in to the numbers we had input before the results were declared.

Staffing for the count (numbers and performance)

As we did not have a very high number of ballot papers to process we worked with myself and one other member of staff.

Ian Fitzgerald, the Shire of Ravensthorpe CEO, volunteered to work with me on the data entry of the count. Being a very experienced electoral officer it worked out very well and we had all the papers sorted, entered and combined with the mini count done by the WAEC and results announced by just gone 8 o'clock on the Saturday evening.

Declaration of the poll

We had invited candidates and community members to attend the count and had quite a good turn-out. Four of the candidates and their families attended along with several other community members. Two of the candidates were out of town so were unable to attend. The results were finalised by just after 8pm and I read out the results using the *Announcement of Results* template provided. The LG19B was then posted on the shire notice board in Ravensthorpe and a copy sent through to Hopetoun office for them to display on Monday.

I emailed all candidates a copy of the LG19B so they were aware of the results.

Working relationship with Local Government staff

This was very good but probably different to a lot of Returning Officers as I work for the Shire as their Manager of Corporate and Community Services.

This meant I could fully utilise all the shire facilities and knew the staff. It also meant I was on call at any time there were any queries.

Complaints from candidates and scrutineers

I received no complaints from any of the candidates. There was only one scrutineer appointed by one of the candidates and I received no complaints from her.

There were some rumours going around about things being said or done by certain candidates and I urged people to contact me direct if there was any issue. Other than that I did regular updates on the shire and local Facebook pages to let people know what was happening as the election progressed and used this as a platform to give general advice and guidance regarding issues I had heard about.

In the week prior to the election the CEO was approached by an employee and other members of the community who reported that there was 'a person' going around stating that the elections would be rigged because the returning officer was an employee of the shire. The CEO sought advice from WAEC and issued a public statement regarding conduct of the elections.

I did not have any one make any accusations direct to me and the majority of the community seemed very supportive of the election process and the conduct of all aspects.

I have to say that over the past 20 years I have been involved with many elections: - state, federal and local government, and this is the first time any such nonsense has occurred. I

feel it is unfortunately a reflection of the actions of a small minority of the community. However I did not let any of this affect my integrity and the manner in which I conducted myself and my election duties. I adhered to the code of conduct I had signed on acceptance of the position and treated everyone in a fair and unbiased manner.

Round up of statistics

| | | |
|--------------------------------------|-------|-------|
| Number of persons on electoral rolls | 1,094 | |
| Total Ballot Papers received | 730 | |
| Postal voting papers rejected | 31 | |
| Informal Ballot Papers | | 1 |
| % voted | | 66.7% |

Consultation:

WAEC

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

Nil

Strategic Implications:

Nil

Sustainability Implications:

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

Voting Requirements:

| | |
|--|-------------|
| OFFICER RECOMMENDATION | ITEM 10.1.3 |
| <p>That Council receive the Returning Officer’s Report on the October 2017 local government elections for the Shire of Ravensthorpe.</p> | |

10.1.4 ADOPTION OF NEW POLICY – F.14 RELATED PARTY DISCLOSURE**File Ref:****Applicant:****Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 3rd November 2017**Author:** Jenny Goodbourn – Manager of Corporate & Community Services**Authorising Officer:** Ian Fitzgerald - CEO**Attachments:** Draft F.14 – Related party Disclosure Policy

Summary:

Council is requested to review and adopt new policy F.14 Related Party Disclosures

Background:

In March 2015 the scope of AASB 124 Related Party Disclosures was extended to include application by not-for-profit entities. From 1st July 2016 Council must disclose related party relationships, transactions and outstanding balances, including commitments, in its annual financial statements to comply with *Australian Accounting Standard AASB124 – Related Party Disclosures*.

Comment:

The development and adoption of a policy is recommended by the Department of Local Government, Sport and Cultural Industries as part of the implementation process.

The policy will guide staff on what processes are to be followed and what the Council directive is relating to this requirement. The policy will also form part of the audit trail when checking compliance with reporting in the annual financial statements by the Shire auditors. As this is a statutory directive compliance with the process is necessary.

Consultation:

Lincoln's Auditors.

Department of Local Government, Sport and Cultural Industries.

WALGA

Statutory Obligations:

Australian Accounting Standard – AASB 124 – Related Party Disclosures

Local Government Act 1995 – section 2.7(2)(b)

Local Government (Financial Management) Regulations 1996

Policy Implications:

Policy Manual Amendments – Addition of new policy

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 10.1.4**

That Council:

1. Adopt policy F.14 Related Party Disclosures as attached to this report;
2. Adopts the following transactions as ordinary citizen transactions (OCT), to be applied in accordance with AASB 124 in determining disclosure requirements:
 - Paying rates.
 - Transactions relating to the registration and control of domesticated animals as defined in the Dog Act 1976 and Cat Act 2011.
 - Transactions whereby a Fee or Charge is incurred and that are included as part of the Councils endorsed Schedule of Fees and Charges.
 - Fines.
 - Use of shire Use of Shire owned facilities such as the Ravensthorpe Entertainment Centre, Ravensthorpe Town Hall, Hopetoun Community Centre, parks, ovals and other public open spaces (whether charged a fee or not).
 - Attending council functions that are open to the public.

**10.1.5 RAVENSTHORPE ENTERTAINMENT CENTRE – CLUB AFFILIATION FEES
2017/2018****File Ref:**

| | |
|--|--|
| Applicant: | Not applicable |
| Location: | Not applicable |
| Disclosure of Officer Interest: | None |
| Date: | 3 rd November 2017 |
| Author: | Jenny Goodbourn - Manager Corporate & Community Services |
| Authorising Officer: | Not Applicable |
| Attachments: | Letter Ravensthorpe Basketball Assoc. |

Summary:

This item seeks the consideration and approval of the setting of the club affiliation fees for 2017/2018. Fees are raised in October/November each year.

Background:

The Shire of Ravensthorpe took over full operation of the Entertainment Centre following the failing of the Ravensthorpe Entertainment Centre Management Committee in February 2016. As part of the operations the annual affiliation fees need to be determined by council.

Comment:

For the past few years council has charged an annual affiliated club membership fee to each affiliated club or user group rather than an individual membership fee to each member. The fees were set based on previous years' membership levels and expected membership levels for 2015/2016.

None of the clubs are experiencing growth with overall membership numbers declining. Ravensthorpe Tigers Football and Sporting Club had a reduced winter sports program in 2017 with Lake King unable to field an adult AFL team.

The Ravensthorpe Basketball Club have written a letter to the shire- see attached- advising that they have not had any teams register for the season. They are proposing to hold a social mixed basketball evening on a Friday with teams made up from whoever turns up on the night. They will run junior and nipper basketball next year after the school holidays are over. In view of the reduced use by the club they have asked council to look at the affiliation fee charged in previous years and consider a reduction for this year.

The Ravensthorpe Tennis Club have not advised their expected numbers but membership for the past couple of years has been around 25 adults and 30 juniors. The shire is in the process of calling tenders for the reinstatement of the courts following the catastrophic damage caused to the courts in the February floods. In the meantime the tennis club will have to utilise the inside courts within the REC.

Fees charged last year were:-

- Ravensthorpe Basketball Association (RBA): \$3,000.00
- Ravensthorpe Tennis Club (RTC): \$ 850.00
- Ravensthorpe District High School(RDHS): \$1,300.00
- Ravensthorpe Tigers Football and Sporting Club (RTFSC): \$3,000.00

These fees have not altered for the last three years but in view of the struggle to maintain membership numbers it is proposed that the fees for the Ravensthorpe Tennis Club, Ravensthorpe Tigers Football and Sporting Club and Ravensthorpe District High School remain unaltered for 2017/2018 and that the fees for the Ravensthorpe Basketball Association be reduced to \$850 to reflect the reduced numbers and usage of the facility. The costs of maintaining the centre far exceed any income generated but it is part of the community infrastructure provided by the shire and helps to encourage members of the community to keep active and participate in sporting activities. Sports are an important part of any small community and whilst the clubs need to contribute towards usage of the facility the fees should not be to the level that they may cause a club to no longer be financially viable.

Consultation:

Local sporting groups

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

- Budget income was based on the level of fees remaining unchanged from last year. A reduction of \$2,150 in the actual fees will not have a material impact on 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 10.1.5 |
| <p>That the annual REC Affiliation Club Membership system is continued. Invoices to User groups are to go out from the Shire in October/November each year. The contribution amounts for each user group for 2017/18 are to be set at:</p> | |
| Ravensthorpe Basketball Association (RBA): | \$ 850.00 |
| • Ravensthorpe Tennis Club (RTC): | \$ 850.00 |
| • Ravensthorpe District High School(RDHS): | \$1,300.00 |
| • Ravensthorpe Tigers Football and Sporting Club (RTFSC): | \$3,000.00 |

10.2 MANAGER OF PLANNING AND DEVELOPMENT

10.2.1 AMENDMENT TO LOCAL PLANNING POLICIES

File Ref:**Applicant:**

Internal

Location:

Shire of Ravensthorpe

Date:

31 October 2017

Author:

Richard Hindley - Manager for Strategic Planning & Land Projects

Authorising Officer:

Ian Fitzgerald – Chief Executive Officer

Attachments:

Yes - Amended Local Planning Policies

Summary:

For Council to consider proceeding with a number of Local Planning Policies without modification.

Background:

The Local Planning Policy review was commenced at the September 2017 Ordinary Meeting of Council where it was resolved (102/17):

That Council:

1. In accordance with Clause 4 of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2) amend the following Local Planning Policies:
 - a. Advertising Signs
 - b. Outbuildings
 - c. Housing
 - d. Shipping Containers
 - e. Industrial Design Guidelines
2. In accordance with Clause 4 and 5 (2) of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2) amend the following Local Planning Policies:
 - a. Sportsfields Advertising Signs
 - b. Second-hand Dwellings

- c. Extractive Industry
 - d. Public Open Space – 3-5 Lot Subdivision
 - e. Alfresco Dining & Trading in Public Places
 - f. Farm Forestry
 - g. Holiday Homes
3. In accordance with Clause 6(b) of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2) revoke the following Local Planning Policy:
- a. Fire Management Plans
4. That Council adopt the following Policies as Council Policies:
- a. Directional Signs
 - b. Use of Rights of Way

The policies in point 1 were subsequently advertised for 28 days from the 3 October 2017. At the end of advertising no submissions had been received.

Site Description

Shire of Ravensthorpe

Zoning and Scheme Requirements

Local Planning Policies are adopted and modified under Clause 4 of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2).

Comment:

As these policies are being amended under Clause 4 of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 they will need to be advertised not less than 21 days.

Proposal

During the policy review it was noted that a number of policies required significant modification.

Advertising Signs

The modifications to this policy related to the updating of the policy to be consistent with the *Planning and Development (Local Planning Schemes) Regulations 2015* as well as reflecting changes as a result of Local Planning Scheme No. 6. The main change is the inclusion of

exemptions within this policy that were formally contained within Town Planning Scheme No. 5 but not carried over to Local Planning Scheme No. 6. It should also be noted that additional exemptions in relation to temporary signage for building construction sites as well as property transaction signs have been included in the new exemption provision.

Outbuildings

The modifications to this policy related to the updating of the policy to be consistent with the *Planning and Development (Local Planning Schemes) Regulations 2015* as well as reflecting changes as a result of Local Planning Scheme No. 6.

Further changes have been made to the size of outbuildings permitted within the Rural Residential zone. The increase in size is related to the reduced impact of large outbuildings on large lots.

Housing

The modifications to this policy related to the updating of the policy to be consistent with the *Planning and Development (Local Planning Schemes) Regulations 2015* as well as reflecting changes as a result of Local Planning Scheme No. 6.

New provisions have been included for Ancillary Accommodation within the Rural Residential and Rural zones. This is required as the R-Codes standards cannot apply outside of the Residential zone.

Several instances of discretion of Council have been changed to Local Government to enable staff to make a determination without mandating that a Council decision is required.

Shipping Containers

The modifications to this policy related to the updating of the policy to be consistent with the *Planning and Development (Local Planning Schemes) Regulations 2015*. The policy is also renamed to Shipping Containers consistent with advice received from the Department of Planning during the Scheme review process.

An expansion to the exemption provision is proposed to permit an exemption when a shipping container is directly associated with an approved transport or storage premises in the General Industry zone.

The development standards are also expanded to identify that adequate foundations in accordance with the Building Code of Australia are required.

Industrial Design Guidelines

This policy was significantly modified as a result of the gazettal of Local Planning Scheme No. 6. Large sections which were duplicated in the Scheme have been removed from the policy and new zoning have been referenced into the policy.

The general requirements have been updated to reflect the Scheme requirements.

Conclusion

Due to the recent Gazettal of Local Planning Scheme No. 6, and the associated impact of the *Planning and Development (Local Planning Schemes) Regulations 2015* a number of modifications are required to the Local Planning Policies. This item finalises the review process.

Consultation:

As these policies are being amended under Clause 4 of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 they will need to be advertised not less than 21 days. In this instance the policies were advertised for 28 days from the 3 October 2017. At the end of advertising no submissions had been received.

Statutory Obligations:

Division 2 of Part 2 of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2)

Planning and Development Act 2005

Policy Implications:

This item relates to policy development.

Local Planning Policies are guidelines used to assist the local government in making decisions under the Local Planning Scheme and may address land use as well as development requirements. Although Local Planning Policies are not part of the Local Planning Scheme they must be consistent with, and cannot vary, the intent of the Local Planning Scheme provisions. In considering an application for Planning Approval, the local government must have due regard to a Local Planning Policy as required under Clauses 3(5) and 67 of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2).

Budget / Financial Implications:

None for Council

Strategic Implications:

The proposal is to do with the following theme of the Strategic Community Plan:

Theme 1:

A healthy, strong and connected community that is actively engaged and involved;

Outcome 1.2 “Vibrant & attractive townsite”.

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 in accordance with Clause 4 of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2) proceed with the following Local Planning Policies without modification:

1. Advertising Signs
2. Outbuildings
3. Housing
4. Shipping Containers
5. Industrial Design Guidelines

10.2.2 AMENDMENT NO 2 LOCAL PLANNING SCHEME NO 6**File Ref:**

| | |
|-----------------------------|--|
| Applicant: | Internal |
| Location: | Shire of Ravensthorpe |
| Date: | 31 October 2017 |
| Author: | Richard Hindley - |
| Authorising Officer: | Ian Fitzgerald _ Chief Executive Officer |
| Attachments: | Yes – Amendment 2 |

Summary:

For Council to consider initiating Amendment No. 2 to Local Planning Scheme No. 6 to amend the Scheme by amending existing provisions, incorporating new clauses and amending the Scheme Map.

Background:

Notice of Final Approval of the Shire of Ravensthorpe Local Planning Scheme No. 6 ('the Scheme') was published in the Government Gazette on the 11 July 2017. A review of the Scheme has now been undertaken and a Scheme Amendment has been prepared to modify the Scheme.

This amendment seeks to correct a number of zoning anomalies in the Gazetted Scheme. These changes generally reflect the current reservation or where changes are well advanced to change a reservation.

The introduction of a new zone and the amendment to permitted land uses is also proposed so that they make reference to both the land as well as the objectives of the zone.

There are also a number of modifications that update the Scheme both from external changes as well as finalising some of the changes that were commenced in Amendment No. 1.

Site Description

Shire of Ravensthorpe

Zoning and Scheme Requirements

This item relates to a Scheme Amendment.

Comment:

This omnibus amendment details numerous modifications to the Scheme.

The modifications fall into the following categories:

1. Amending the Scheme Map based on reserve classifications that were omitted in the drafting of the Scheme Map;
2. Inserting the 'Rural Smallholdings zone' and associated provisions;
3. Reviewing land use permissibility's within Clause 3.2;
4. Removing the references to the 'General Industry' zone that were not removed by Amendment No. 1.
5. Updating references to water storage tanks throughout the Scheme to reference one clause;
6. Updating the names of government agencies; and
7. Updating numbering throughout the Scheme where required.

The proposed provisions are consistent with the Local Planning Strategy.

Proposal

It should be noted that the amendment document contains maps of all the map modifications outlined below.

Amend the Scheme Map by rezoning the portion of Reserve 31754 zoned 'Rural' to 'Environmental Conservation'.

This modification incorporates the extension of Reserve 31754 (Cheadanup Nature Reserve) as identified for expansion in the Parks and Wildlife Services 'Esperance and Recherche Parks and Reserves Management Plan 84'. The parcels of land identified are now included in Reserve 31754 and it is appropriate for the Scheme to reflect this.

Amend the Scheme Map by rezoning the portion of Reserve 31128 zoned 'Public Open Space' reserve to 'Environmental Conservation' reserve

This modification seeks to correct a mapping error. A portion of Reserve 31128 (Kundip Nature Reserve) is already reserved as 'Environmental Conservation' with the remainder of the reserve being reserved as 'Public Open Space'. All portions of the reserve have the assigned purpose of 'Conservation of Flora, Fauna and Waterways'. It is appropriate for the Scheme to reflect this.

Amend the Scheme Map by rezoning the portion of Reserve 16119 zoned 'Rural' to 'Public Open Space' reserve.

This modification seeks to correct a mapping error. Reserve 16119 is predominately zoned 'Rural' with a small area to the north of the reserve being reserved as 'Public Open Space'. The entire reserve is currently undeveloped and has no management order. The purpose of this reserve is 'Common'. It is considered inappropriate for this land to be zoned 'Rural' and it is appropriate to reflect its status as a reserve by reserving it as 'Public Open Space' under the Scheme.

Amend the Scheme Map by rezoning Reserve 12200 to 'Public Purposes' reserve with a designation of Infrastructure Services

This modification seeks to correct a mapping error. Reserve 12200 has a purpose of 'Sanitary Site' and is an unmanaged reserve. Given the purpose of the reserve it is appropriate to show it as 'Public Purposes' reserve with a designation of Infrastructure Services.

Amend the Scheme Map by rezoning Reserve 11577 to 'Public Purposes' reserve with a designation of Infrastructure Services

This modification seeks to correct a mapping error. Reserve 11577 has a purpose of 'Water Supply' and is an unmanaged reserve. Given the purpose of the reserve it is appropriate to show it as 'Public Purposes' reserve with a designation of Infrastructure Services.

Amend the Scheme Map by rezoning Reserve 7379 to 'Public Purposes' reserve with a designation of Infrastructure Services.

This modification seeks to correct a mapping error. Reserve 7379 has a purpose of 'Water' and is the responsibility of Water Corporation. Given the purpose of the reserve it is appropriate to show it as 'Public Purposes' reserve with a designation of Infrastructure Services.

Amend the Scheme Map by rezoning Reserve 12141 to 'Public Purposes' reserve with a designation of Infrastructure Services

This modification seeks to correct a mapping error. Reserve 12141 has a purpose of 'Sanitary Site' and is an unmanaged reserve. Given the purpose of the reserve it is appropriate to show it as 'Public Purposes'

Amend the Scheme Map by rezoning Reserve 11145 to 'Public Open Space' reserve.

This modification seeks to correct a mapping error. Reserve 11145 has a purpose of 'Recreation' and is an unmanaged reserve. Given the purpose of the reserve it is appropriate to show it as 'Public Open Space'

Amend the Scheme Map by rezoning Reserve 21723 to 'Public Open Space' reserve

This modification seeks to correct a mapping error. Reserve 21723 has a purpose of 'Recreation' and is a unmanaged reserve. Given the purpose of the reserve it is appropriate to show it as 'Public Open Space'

Amend the Scheme Map by Reserve 27023 to 'Environmental Conservation' reserve

This modification seeks to correct a mapping error. Reserve 27023 has a purpose of 'National Park' as is the southern portion of the Frank Hahn National Park. Given the inclusion of the reserve in the Frank Hahn National Park it is appropriate to show it as 'Environmental Conservation'

Amend the Scheme Map by rezoning a portion of Reserve 30633 to 'Public Purposes' reserve with a designation of Emergency Services

An application is currently being processed by the Department of Planning, Lands and Heritage to change the purpose of the Reserve to 'Emergency Services for St Johns Ambulance Service. Given the proposed purpose of the reserve it is appropriate to show it as 'Public Purposes'

Amend the Scheme Map by rezoning Reserve 36191 to 'Public Purposes' reserve with a designation of Government Services

This modification seeks to correct a mapping error. Reserve 36191 has a purpose of 'Quarry' and is managed by Main Roads. Given the purpose of the reserve it is appropriate to show it as 'Public Purposes'

Amend the Scheme Map by rezoning Reserve 17880 zoned to 'Environmental Conservation' reserve

This modification seeks to correct a mapping error. Reserve 17880 has a purpose of 'Waterway' and is managed by the Water Resources Ministerial Body. This reserve was also

identified as proposed Nature Reserve in the Regional Management Plan 1992 -2002 South Coast Region. Given the purpose of the reserve and its Management Orders it is appropriate to show it as 'Environmental Conservation'.

Amend the Scheme Map by rezoning a portion of Floater Road to 'Local Road;

This modification seeks to correct a mapping error. A portion of the Floater Road as shown below is currently reserved for 'Public open Space'. It is proposed to show the dedicated road reserve as a 'Local Road' in the Scheme.

Amend the Scheme Map by Reserve 13271 to 'Environmental Conservation' reserve

This modification seeks to correct a mapping error. Reserve 13271 has a purpose of 'Gravel and Water Supply' and is managed by the Department of Water. This reserve is also adjacent to Reserve 27525 (Overshot Hill Nature Reserve). Given the purpose of the reserve and its Management Orders it is appropriate to show it as 'Environmental Conservation'.

Amend the Scheme Map by rezoning Reserve 38642 to 'Public Purposes' reserve with a designation of Government Services

This modification seeks to correct a mapping error. Reserve 38642 has a purpose of 'Gravel; and is managed by the Shire of Ravensthorpe. Given the purpose of the reserve it is appropriate to show it as 'Public Purposes'

Amend the Scheme Map by rezoning Lot 1 on Diagram 80567 on the corner of Mason Bay Road and Middle Road to 'Public Purposes' reserve with a designation of Infrastructure Services

This modification seeks to correct a mapping error. Lot 1 on Diagram 80567 on the corner of Mason Bay Road and Middle Road has been developed for telecommunications infrastructure. Given the purpose of the reserve it is appropriate to show it as 'Public Purposes'.

Amend the Scheme Map by Reserve 49742 to 'Environmental Conservation' reserve

This modification seeks to correct a mapping error. Reserve 49742 has a purpose of 'Conservation' and its Management Orders are with the Conservation Commission of Western Australia. Given the purpose and management of the reserve it is appropriate to show it as 'Environmental Conservation'.

Amend the Scheme Map by rezoning Lots 3000 and 3001 on Plan 48791 and a portion of 'Local Road' as 'Primary Distributor Road'

This modification seeks to correct a mapping error. Lots 3000 and 3001 on Plan 48791 and a portion of 'Local Road' form part of the reserve for South Coast Highway. The subject portions of land should be shown as 'Primary Distributor Road'.

Amend the Scheme Map by rezoning Lots 3004, 3005 and 3006 on Plan 48791 as 'Primary Distributor Road'

This modification seeks to correct a mapping error. Lots 3004, 3005 and 3006 on Plan 48791 on Plan 48791 and a portion of 'Local Road' form part of the reserve for South Coast Highway. The subject portions of land should be shown as 'Primary Distributor Road'.

Amend the Scheme Map by rezoning Lot 521 on Plan 403837 and portions of 'Local Road' as 'Primary Distributor Road'

This modification seeks to correct a mapping error. Lot 521 on Plan 403837 and portions of 'Local Road' form part of the reserve for South Coast Highway. The subject portions of land should be shown as 'Primary Distributor Road'.

Amend the Scheme Map by rezoning the portion of 'Local Road' on the corner of Maydon Road and South Coast Highway as 'Primary Distributor Road'

This modification seeks to correct a mapping error. A portion of 'Local Road' reserve on the corner of Maydon Road and South Coast Highway forms part of the reserve for South Coast Highway. The subject portions of land should be shown as 'Primary Distributor Road'.

Amend the Scheme Map by rezoning Reserve 27127 to 'Public Open Space Reserve'

This modification seeks to correct a mapping error. Reserve 27127 is currently zoned 'Rural' with additional use 'A2'. The reserve has a purpose of 'Showground and Recreation' and is managed by the Shire of Ravensthorpe. Given the purpose of the Reserve it is appropriate to apply the 'Public Open Space' reserve.

Amend the Scheme by deleting in Clause 3.4.1 the reference to Additional Use No. 2 and the Scheme Map accordingly

This modification seeks to rezone Reserve 27127 to 'Public Open Space' the additional use requires deletion as additional uses should not apply to reserves in the manner of Clause 3.4.1. It is recommended that Additional Use No. 2 should be deleted from the Scheme.

Amend the Scheme by inserting a replacing the text under Clause 2.3 to introduce an Additional Use to a reserve

Clause 2.3 of the Scheme allows additional uses to be applied to reserves. In this instance the additional use that has been deleted from Reserve 27127 can now be inserted to this Clause with modification to reflect that the land is a reserve.

Amend the Scheme Map by applying 'AR1' to Reserve 27127

By inserting 'AR1' into Clause 2.3 the additional use for land in a local reserve can now be shown on the Scheme Map. It is recommended that 'AR1' be included on the Scheme Map.

Amend the Scheme Map by rezoning Lots 109, 110 and 111 on Plan 39880 and a portion of 'Local Road' as 'Primary Distributor Road'

This modification seeks to correct a mapping error. Lots 109, 110 and 111 on Plan 39880 and a portion of 'Local Road' form part of the reserve for the Hopetoun – Ravensthorpe Road. The subject portions of land should be shown as 'Primary Distributor Road'.

Amend the Scheme Map by rezoning Lots 1518 and 1519 on Plan 29986 as 'Primary Distributor Road'

This modification seeks to correct a mapping error. Lots 1518 and 1519 on Plan 29986 form the turning lane between Newdegate-Ravensthorpe Road and South Coast Highway. These portions of land are currently zone 'Rural' in the Scheme. The subject portions of land should be shown as 'Primary Distributor Road'.

Amend the Scheme Map by rezoning Lots 351 and 352 on Plan 401419 as 'Primary Distributor Road'

This modification seeks to correct a mapping error. Lots 351 and 352 on Plan 401419 form part of the reserve for South Coast Highway. The subject portions of land should be shown as 'Primary Distributor Road'.

Amend the Scheme Map by rezoning Lot 1508 on Plan 191425 as 'Local Road'

This modification seeks to correct a mapping error. Lot 1508 on Plan 191425 is currently zone 'rural' under the Scheme and form part of Moir Road. The subject portions of land should be shown as 'Local Road'.

Amend the Scheme by inserting objectives for the Rural Smallholdings zone

It is proposed to introduce objectives for the 'Rural Smallholdings' zone within the Scheme. This modification is required as land above 4ha in area that is zoned 'Rural Residential' is more properly identified as 'Rural Smallholdings'.

Amend the Scheme Map by rezoning Lots 1, 2, 3, 4, 8, 15, 16, 17, 18, 19, 20 and 21 Blue Vista as 'Rural Smallholdings'

Lots 1, 2, 3, 4, 8, 15, 16, 17, 18, 19, 20 and 21 Blue Vista are currently zoned 'Rural Residential' and range in lot size from 5.8 ha to 15.5 ha. The lot sizes of these lots is over that provided for in the 'Rural Residential' zone. It is recommended that the subject lots be rezoned to 'Rural Smallholdings'.

Amend the Scheme Map by rezoning Lots 1, 2, 3, 8, 9, 10, 15, 16 and 17 Dotterel Drive, Lots 4, 5, 6 and 7 Carnaby Close and Lots 11, 12, 13 and 14 Pardalote Parade as 'Rural Smallholdings'

Lots 1, 2, 3, 8, 9, 10, 15, 16 and 17 Dotterel Drive, Lots 4, 5, 6 and 7 Carnaby Close and Lots 11, 12, 13 and 14 Pardalote Parade are currently zoned 'Rural Residential' and range in lot size from 15.7 ha to 84.6 ha with the larger lots having extensive undevelopable areas. It is recommended that the subject lots be rezoned to 'Rural Smallholdings'.

Amend the Scheme by inserting a new row in Schedule 2 under the row titled 'Rural Residential' with the Title of 'Rural Smallholdings'

With the introduction of a new zone in 'Rural Smallholdings' Schedule 2 – Additional Site and Development Requirements needs to be updated. It is proposed to insert new standards that reflect the large lot sizes that occur in this zone.

Amend the Scheme by inserting 'Rural Smallholdings' as a land use in Clause 3.2 Zoning Table and the associated permissibility's

With the introduction of a new zone in 'Rural Smallholdings' land use permissibility's need to be inserted into the Zoning Table contained in Clause 3.2. The proposed range of land uses and permissibility's are taken from the 'Rural Residential' zone and take into account the larger lot size that are occur in the 'Rural Smallholdings' zone.

Amend the Scheme by amending the permissibility's for 'Rural Residential' in Clause 3.2 Zoning Table

With the introduction of the 'Rural Smallholdings' zone into Clause 3.2 it is appropriate to review the land use permissibility's in the 'Rural Residential' zone. The proposed

range of land uses and permissibility's take into account the smaller lot size that are occur in the 'Rural Residential' zone.

Amending the Scheme by amending the permissibility's for 'Rural' in Clause 3.2 Zoning

Table

The land use permissibility's in the 'Rural' zone have also been reviewed. The proposed uses are in addition to those already available in the Scheme and provide for a wider range of development to occur within the 'Rural' zone.

Amend the Scheme by amending the permissibility's for 'Light Industry' in Clause 3.2 Zoning

Table

The land use permissibility's in the 'Light Industry' zone have been reviewed. The proposed uses are slight broadening of the permitted uses in this zone. It should also be noted that the 'Restaurant/café' use is inserted to preserve the intent of Clause 4.13.7 which limits the 'Restaurant/café' use to the inside of the Heavy Haulage Route in the Ravensthorpe locality.

Amend the Scheme by amending the permissibility's for 'Tourism' in Clause 3.2 Zoning

Table

The land use permissibility's in the 'Tourism' zone have also been reviewed. The proposed changes remove uses that are incompatible with the zone objectives whilst introducing a 'Shop' where it is incidental to the predominant use of the site.

Amend the Scheme by amending the permissibility's for 'Mixed Use' in Clause 3.2 Zoning

Table

The land use permissibility's in the 'Tourism' zone have also been reviewed. The proposed changes remove uses that are incompatible with the zone objectives whilst introducing uses such as 'Shop' that are compatible and appropriate for the zone.

Amend the Scheme by amending the permissibility's for 'Rural Townsite' in the Table under Clause 3.2 in Clause 3.2 Zoning Table

The land use permissibility's in the 'Rural Townsite' zone have also been reviewed. The proposed changes to the permissible land uses are based on the zones objectives, location, lot size and potential impact on amenity.

Amend the Scheme by amending the permissibility's for 'Residential' in Clause 3.2 Zoning

Table

The land use permissibility's in the 'Residential' zone have also been reviewed. The proposed removal of permissibility's of uses as outlined is based on preservation of amenity and appropriateness in terms of the zones objectives.

Amend the Scheme by deleting all references to the 'General Industry' zone in Clause 4.13.

With the removal of the 'General Industry' zone in Amendment No. 1 Clause 4.13 needs to be amended so that it only refers to the 'Light Industry' zone.

Amend the Scheme by inserting Rural Smallholdings zone provisions after Clause 4.15

With the addition of a new zone in the 'Rural Smallholdings' zone development controls need to be introduced.

The proposed provisions are based on the 'Rural Residential' provisions in Clause 4.15 with a number of modifications to reflect the larger size of these lots when compared to those that are in the 'Rural Residential' zone.

Amend the Scheme by replacing 'Department of Agriculture and Food'; in Clause 4.15.6 a) with 'Department of Primary Industries and Regional Development - Agriculture and Food'.

This change is required due to the change in name of the 'Department of Agriculture and Food'; to 'Department of Primary Industries and Regional Development - Agriculture and Food'.

Amend the Scheme by replacing Clause 4.15.8 a) with new removal of vegetation provisions

The revised clause extends the range of permitted clearing by adding clearing in association with the construction of an approved building, where it is exotic or a declared weed and where it is subject to an approved clearing permit.

Amend the Scheme by replacing 'Department of Parks and Wildlife' in Clause 4.15.8 b) with 'Department of Biodiversity, Conservation and Attractions - Parks and Wildlife Service'.

This change is required due to the change in name of the 'Department of Parks and Wildlife' with 'Department of Biodiversity, Conservation and Attractions - Parks and Wildlife Service'

Amend the Scheme by replacing Clause 4.15.9 a) with a reference to the potable water standard.

With the change to the potable water standard proposed by Amendment No. 1 this clause is required to be modified to reference the new clause.

Amend the Scheme by replacing '92,000L' in Schedule 1, SU3 (c) with 'in accordance with Clause 4.30'.

Clause 4.30 (Clause 4.29 in the gazetted Scheme renumbered by this amendment) provides water storage requirements for dwellings without a mains water supply. This modification directs the potable water standard to the main provision of the Scheme.

Amend the Scheme by replacing 'a minimum of a 92 000 litre water storage tank' in Schedule 1, SU7 8. with a reference to the potable water standard.

Clause 4.30 (Clause 4.29 in the gazetted Scheme renumbered by this amendment) provides water storage requirements for dwellings without a mains water supply. This modification directs the potable water standard to the main provision of the Scheme.

Amend the Scheme by replacing 'or a minimum of 92,000 litre storage tank' in Schedule 3, RR4 3. a) with a reference to the potable water standard.

Clause 4.30 (Clause 4.29 in the gazetted Scheme renumbered by this amendment) provides water storage requirements for dwellings without a mains water supply. This modification directs the potable water standard to the main provision of the Scheme.

Amend the Scheme by replacing 'a minimum of 92,000 litre storage tank' in Schedule 3, RR5 6. c) with a reference to the potable water standard.

Clause 4.30 (Clause 4.29 in the gazetted Scheme renumbered by this amendment) provides water storage requirements for dwellings without a mains water supply. This modification directs the potable water standard to the main provision of the Scheme.

Amend the Scheme by replacing all references throughout the Scheme to the 'Department of Environmental Regulation' with 'Department of Water and Environmental Regulation'.

This change is required due to the change in name of the 'Department of Environmental Regulation' to 'Department of Water and Environmental Regulation'.

Amend the Scheme by replacing all references throughout the Scheme to the 'Department of Water' with 'Department of Water and Environmental Regulation.

This change is required due to the change in name of the 'Department of Water' to 'Department of Water and Environmental Regulation'.

Amend the Scheme by replacing 'Department of Planning and Department of Lands' in Clause 4.24.3 with 'Department of Planning, Lands and Heritage'.

This change is required due to the change in names of the 'Department of Planning and Department of Lands' to 'Department of Planning, Lands and Heritage'.

Amend the Scheme by updating all numbering so that the Scheme is internally consistent.

This is a generic amendment so that should any numbering requiring amendment due to earlier clauses can be corrected by this amendment

A full copy of the amendment documentation is attached.

Consultation:

A minimum 60 day advertising period applies for Complex amendments which will commence upon receipt of comments from the EPA and consent to advertise from the Western Australian Planning Commission.

Statutory Obligations:

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Local Planning Scheme No. 6

Policy Implications:

None

Budget / Financial Implications:

None for Council

Strategic Implications:

The proposal is to do with the following theme of the Strategic Community Plan:

Theme 1:

A healthy, strong and connected community that is actively engaged and involved;
Outcome 1.2 "Vibrant & attractive townsite".

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**10.2.2****That Council:****A. In pursuance of Section 75 of the *Planning and Development Act 2005* amend Local Planning Scheme No. 6 by:**

- 1. Amending the Scheme Map by rezoning the portion of Reserve 31754 zoned 'Rural' to 'Environmental Conservation' reserve as depicted on the Amendment Map.**
- 2. Amending the Scheme Map by rezoning the portion of Reserve 31128 zoned 'Public Open Space' reserve to 'Environmental Conservation' reserve as depicted on the Amendment Map.**
- 3. Amending the Scheme Map by rezoning the portion of Reserve 16119 zoned 'Rural' to 'Public Open Space' reserve as depicted on the Amendment Map.**
- 4. Amending the Scheme Map by rezoning Reserve 12200 to 'Public Purposes' reserve with a designation of Infrastructure Services as depicted on the Amendment Map.**

- 5. Amending the Scheme Map by rezoning Reserve 11577 to 'Public Purposes' reserve with a designation of Infrastructure Services as depicted on the Amendment Map.**
- 6. Amending the Scheme Map by rezoning Reserve 7379 to 'Public Purposes' reserve with a designation of Infrastructure Services as depicted on the Amendment Map.**
- 7. Amending the Scheme Map by rezoning Reserve 12141 to 'Public Purposes' reserve with a designation of Infrastructure Services as depicted on the Amendment Map.**
- 8. Amending the Scheme Map by rezoning Reserve 11145 to 'Public Open Space' reserve as depicted on the Amendment Map.**
- 9. Amending the Scheme Map by rezoning Reserve 21723 to 'Public Open Space' reserve as depicted on the Amendment Map.**
- 10. Amending the Scheme Map by Reserve 27023 to 'Environmental Conservation' reserve as depicted on the Amendment Map.**
- 11. Amending the Scheme Map by rezoning a portion of Reserve 30633 to 'Public Purposes' reserve with a designation of Emergency Services as depicted on the Amendment Map.**
- 12. Amending the Scheme Map by rezoning Reserve 36191 to 'Public Purposes' reserve with a designation of Government Services as depicted on the Amendment Map.**
- 13. Amending the Scheme Map by rezoning Reserve 17880 to 'Environmental Conservation' reserve as depicted on the Amendment Map.**
- 14. Amending the Scheme Map by rezoning the portion of Floater Road Reserve zoned 'Public Open Space' reserve to 'Local Road' as depicted on the Amendment Map.**

- 15. Amending the Scheme Map by Reserve 13271 to 'Environmental Conservation' reserve as depicted on the Amendment Map.**
- 16. Amending the Scheme Map by rezoning Reserve 38642 to 'Public Purposes' reserve with a designation of Infrastructure Services as depicted on the Amendment Map.**
- 17. Amending the Scheme Map by rezoning Lot 1 on Diagram 80567 on the corner of Mason Bay Road and Middle Road to 'Public Purposes' reserve with a designation of Infrastructure Services as depicted on the Amendment Map.**
- 18. Amending the Scheme Map by Reserve 49742 to 'Environmental Conservation' reserve as depicted on the Amendment Map.**
- 19. Amending the Scheme Map by rezoning Lots 3000 and 3001 on Plan 48791 and a portion of 'Local Road' as 'Primary Distributor Road' as depicted on the Amendment Map.**
- 20. Amending the Scheme Map by rezoning Lots 3004, 3005 and 3006 on Plan 48791 as 'Primary Distributor Road' as depicted on the Amendment Map.**
- 21. Amending the Scheme Map by rezoning Lot 521 on Plan 403837 and portions of 'Local Road' as 'Primary Distributor Road' as depicted on the Amendment Map.**
- 22. Amending the Scheme Map by rezoning the portion of 'Local Road' on the corner of Maydon Road and South Coast Highway as 'Primary Distributor Road' as depicted on the Amendment Map.**
- 23. Amending the Scheme Map by rezoning Reserve 27127 to 'Public Open Space Reserve' as depicted on the Amendment Map.**
- 24. Amending the Scheme by deleting in Clause 3.4.1 the reference to Addition Use No. 2 and the Scheme Map accordingly.**

25. Amending the Scheme by inserting a replacing the text under Clause 2.3 with the following:

- ‘(1) The Table sets out —**
 - (a) classes of use for specified land located in local reserves that are additional to classes of use determined in accordance with the objectives of the reserve; and**
 - (b) the conditions that apply to that additional use.**

Table

Specified additional uses for land in local reserves in Scheme area

| No. | Description of | Additional use | Conditions |
|------------|-----------------------|-----------------------|--|
| AR1 | Reserve 27127 | Equestrian Centre | 1. As determined by the local government |

26. Amending the Scheme Map by applying ‘AR1’ to Reserve 27127 as depicted on the Amendment Map.

27. Amending the Scheme Map by rezoning Lots 109, 110 and 111 on Plan 39880 and a portion of ‘Local Road’ as ‘Primary Distributor Road’ as depicted on the Amendment Map.

28. Amending the Scheme Map by rezoning Lots 1518 and 1519 on Plan 29986 as ‘Primary Distributor Road’ as depicted on the Amendment Map.

29. Amending the Scheme Map by rezoning Lots 351 and 352 on Plan 401419 as ‘Primary Distributor Road’ as depicted on the Amendment Map.

30. Amending the Scheme Map by rezoning Lots 1508 on Plan 191425 as ‘Local Road’ as depicted on the Amendment Map.

31. Amending the Scheme by inserting the following as point j) in Clause 3.1.2:

‘Rural Smallholdings

- i. To provide for lot sizes in the range of 4 ha to 40 ha.**
- ii. To provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.**
- iii. To set aside areas for the retention of vegetation and landform or other features which distinguish the land.’**

32. Amending the Scheme Map by rezoning Lots 1, 2, 3, 4 ,8, 15, 16, 17, 18, 19, 20 and 21 Blue Vista as ‘Rural Smallholdings’ as depicted on the Scheme Map.

33. Amending the Scheme Map by rezoning Lots 1, 2, 3, 8, 9, 10, 15, 16 and 17 Dotterel Drive, Lots 4, 5, 6 and 7 Carnaby Close and Lots 11, 12, 13 and 14 Pardalote Parade as ‘Rural Smallholdings’ as depicted on the Scheme Map.

34. Amending the Scheme by inserting a new row in Schedule 2 under the row titled ‘Rural Residential’ with the Title of ‘Rural Smallholdings’ as follows:

| Zone | Site cover age % | Plot Ratio | Minimum Setback (m)** | | | Landsc aping % | Special Conditions/ comments |
|----------------------|------------------|------------|--|-------|-------|----------------|--|
| | | | Front | Rear | Side | | |
| Rural Smallholding s | N/A | N/A | 40(i) (i) Where the lot is subject to a | 20(i) | 20(i) | N/A | Effluent Disposal is to be in accordance with Clause 4.37. |

| | | | | | |
|--|--|--|---|--|--|
| | | | <p>building envelope all development is to be within that envelope</p> | | |
|--|--|--|---|--|--|

35. Amending the Scheme by inserting ‘Rural Smallholdings’ as a land use in Clause 3.2 Zoning Table with the same permissibility’s as ‘Rural Residential’ with the following modifications:

- ‘Holiday House’ is a ‘D’ use;
- ‘Industry – Cottage’ is a ‘D’ use;
- ‘Industry – Extractive’ is an ‘A’ use;
- ‘Rural Home Business’ is a ‘D’ use;
- ‘Education Establishment’ is an ‘A’ use;
- ‘Exhibition Centre’ is a ‘X’ use; and
- ‘Telecommunications Infrastructure’ is a ‘D’ use.

36. Amending the Scheme by amending the following permissibility’s for ‘Rural Residential’ in the Table under Clause 3.2 with the following modifications:

- ‘Repurposed Dwelling’ to an ‘A’ use;
- ‘Child Care Premise’ to an ‘X’ use;
- ‘Home Store’ to an ‘X’ use;
- ‘Animal Husbandry – Intensive’ to an ‘X’ use;
- ‘Exhibition Centre’ to an ‘X’ use;
- ‘Reception Centre’ to an ‘X’ use; and
- ‘Recreation – Private’ to an ‘X’ use.

37. Amending the Scheme by amending the following permissibility’s for ‘Rural’ in the Table under Clause 3.2 with the following modifications:

- ‘Holiday House’ to a ‘D’ use;
- ‘Office’ to an ‘I’ use;
- ‘Industry – Light’ to an ‘I’ use;
- ‘Hospital’ to an ‘A’ use;

- **'Place of Worship' to an 'A; use; and**
- **'Telecommunications Infrastructure' is a 'D' use.**

38. Amending the Scheme by amending the following permissibility's for 'Light Industry' in the Table under Clause 3.2 with the following modifications:

- **'Nightclub' to an 'A' use;**
- **'Office' to an 'I' use;**
- **'Restaurant/café' to an 'I' use; and**
- **'Telecommunications Infrastructure' is a 'D' use.**

39. Amending the Scheme by amending the following permissibility's for 'Tourism' in the Table under Clause 3.2 with the following modifications:

- **'Bed and Breakfast' as a 'D' use;**
- **'Nightclub' to a 'X' use;**
- **'Shop' as an 'I' use; and**
- **'Transport Depot' as a 'X' use.**

40. Amending the Scheme by amending the following permissibility's for 'Mixed Use' in the Table under Clause 3.2 with the following modifications:

- **'Park Home Park' to a 'X' use;**
- **'Repurposed Dwelling' to a 'X' use;**
- **'Holiday Accommodation' to a 'D' use'**
- **Holiday House' to a 'D' use;**
- **'Funeral Parlour' to a 'X' use;**
- **'Garden Centre' to an 'X' use;**
- **'Shop' to a 'P' use;**
- **'Fuel Depot' to an 'X' use; and**
- **'Industry – Light' to an 'I' use.**

41. Amending the Scheme by amending the following permissibility's for 'Rural Townsite' in the Table under Clause 3.2 with the following modifications:

- 'Park Home Park' to a 'X' use;
- 'Holiday Accommodation' to an 'A' use;
- 'Holiday House' to a 'D' use;
- 'Motel' to an 'A' use;
- 'Nightclub' to an 'A' use;
- 'Funeral Parlour' to a 'X' use; and
- 'Garden Centre' to an 'X' use.

42. Amending the Scheme by amending the following permissibility's for 'Residential' in the Table under Clause 3.2 with the following modifications:

- 'Repurposed Dwelling' to a 'X' use;
- 'Home Store' to a 'X' use;
- 'Office' to a 'X' use
- 'Industry – Cottage' to a 'X' use;
- 'Motor Vehicle Repairs' to a 'X' use; and
- 'Recreation – Private' to a 'X' use.

43. Amending the Scheme by deleting all references to the 'General Industry' zone in Clause 4.13.

44. Amending the Scheme by inserting the following after Clause 4.15 as Clause 4.16 and renumbering all relevant clause after the inserted clause:

'4.16 Development in the Rural Smallholdings zone

4.16.1 Land uses and development within the Rural Smallholdings zone shall comply with the following general provisions.

4.16.2 Subdivision

- a) Subdivision shall generally be in accordance with an approved Structure Plan where required under Part 4 of the deemed provisions.
- b) Further subdivision of lots other than what has been shown on an approved Structure Plan will generally not be supported.

4.16.3 Building Envelopes

4.16.3.1 Where the subject site is subject to a building envelope -

- a) No development is permitted outside of the designated building envelope, approved by the local government, except for:
 - i. Provision of a suitable access way to the building envelope;
 - ii. Provision of suitable boundary fencing as approved by the local government; and
 - iii. Implementation of an approved fire management plan or any other general fire requirements.
- b) The local government may consider approving land uses outside of the allocated building envelope, where:
 - i. the land use does not require the removal of native vegetation;
 - ii. the land use does not require the construction of a building or structure; and
 - iii. adequate separation has been provided between adjoining land uses.
- c) The local government may, where adequate justification has been provided by the applicant, approve a variation or relocation of the building envelope subject to advertising in accordance with clause 64 of the deemed provisions provided it is satisfied that:
 - i. the objectives of the zone are not compromised;
 - ii. the visual amenity and rural character of the locality will not be affected by the change of location;
 - iii. the proposed size and location of the envelope can accommodate future development, including on-site effluent disposal systems and water supply tanks,

and not have a detrimental effect on the environment;
and

iv. general fire requirements and any endorsed fire management plans are considered.

4.16.3.2 Where no building envelope has been designated, a plan shall be submitted identifying a building envelope that:

- a) is delineated on-site by the landowner and approved by the local government prior to the commencement of any site works. The local government may require an alternative building envelope if it considers the proposed building envelope would be detrimental to the landscape or environment;
- b) does not exceed 5% of the lot area;
- c) complies with the minimum setback requirements of Schedule 2 of this Scheme and any setback requirements under an endorsed fire management plan; and
- d) has due regard to the land capability for effluent disposal, wind protection, fire management and the objective to minimise erosion and the visual prominence of buildings.

4.16.4 Building Design, Materials and Colours

- a) Buildings shall be designed and constructed of materials which allow them to blend into the landscape of the site. Council may refuse to approve walls and roofs constructed of reflective materials such as unpainted zincalume and off-white colours. Council will be supportive of walls and roofs with green, brown or red tones in keeping with the amenity of the area.
- b) Dwelling houses shall not exceed 7.5 metres in height which is measured vertically from the natural ground level unless otherwise approved by Council.
- c) Any water tanks should be coloured an appropriate natural shade of brown or green or suitably screened with vegetation in keeping with the amenity of the area to the satisfaction of Council.

4.16.5 Fire Management

- a) Where an approved fire management plan exists, all development shall be in accordance with that fire management plan.
- b) The ongoing management requirements of the fire management plan are to be implemented by the landowner to the satisfaction of the local government.

4.16.6 Keeping of livestock

- a) The keeping of livestock/animals requires the approval of the local government. The local government may refer the application to the Department of Primary Industries and Regional Development - Agriculture and Food for comment prior to making a determination.
- b) Livestock/animals will be required to be kept within appropriately fenced areas as approved by the local government. The ongoing maintenance of fences will be the responsibility of the landowner.

4.16.7 Land degradation

Any development, overstocking, or other land management practices that results in soil erosion, spreading of weeds, destruction of vegetation or any other land degradation will be required to be rectified and any damage made good, to the satisfaction of the local government on advice from the relevant authorities, at the landowners cost.

4.16.8 Vegetation protection

- a) Approval is required from the local government for the removal of vegetation unless:
 - i. It is within the agreed building envelope; or
 - ii. It is associated with the construction of an approved building; or
 - iii. It is the subject of an approved clearing permit; or
 - iv. Such vegetation is diseased or dangerous; or
 - v. It is the removal of exotic species and/or declared weeds; or
 - vi. It is general fire management or any other requirement of an approved fire management plan; or
 - vii. It is necessary for an approved access way.

- b) The local government may liaise with the Department of Biodiversity, Conservation and Attractions - Parks and Wildlife Service to determine the significance of vegetation.**

4.15.9 Servicing

- a) Where a reticulated water supply is not available, each dwelling shall be provided a water storage tank in accordance with Clause 4.30 in addition to any requirements of an approved fire management plan.**
- b) Where a reticulated sewerage system is not available, each dwelling shall be provided with an appropriate effluent disposal system.'**

45. Amending the Scheme by replacing 'Department of Agriculture and Food'; in Clause 4.15.6 a) with 'Department of Primary Industries and Regional Development - Agriculture and Food'.

46. Amending the Scheme by replacing Clause 4.15.8 a) with:

- 'a) Approval is required from the local government for the removal of vegetation unless:**
 - i. It is within the agreed building envelope; or**
 - ii. It is associated with the construction of an approved building; or**
 - iii. It is the subject of an approved clearing permit; or**
 - iv. Such vegetation is diseased or dangerous; or**
 - v. It is the removal of exotic species and/or declared weeds; or**
 - vi. It is general fire management or any other requirement of an approved fire management plan; or**
 - vii. It is necessary for an approved access way.'**

47. Amending the Scheme by replacing 'Department of Parks and Wildlife' in Clause 4.15.8 b) with 'Department of Biodiversity, Conservation and Attractions - Parks and Wildlife Service'.

48. Amending the Scheme by replacing Clause 4.15.9 a) with:

‘a) Where a reticulated water supply is not available, each dwelling shall be provided a water storage tank in accordance with Clause 4.30 in addition to any requirements of an approved fire management plan.’

49. Amending the Scheme by replacing ‘92,000L’ in Schedule 1, SU3 (c) with ‘in accordance with Clause 4.30’.

50. Amending the Scheme by replacing ‘a minimum of a 92 000 litre water storage tank’ in Schedule 1, SU7 8. with ‘a water storage tank in accordance with Clause 4.30’.

51. Amending the Scheme by replacing ‘or a minimum of 92,000 litre storage tank’ in Schedule 3, RR4 3. a) with ‘or a water storage tank in accordance with Clause 4.30’.

52. Amending the Scheme by replacing ‘a minimum of 92,000 litre storage tank’ in Schedule 3, RR5 6. c) with ‘a water storage tank in accordance with Clause 4.30’.

53. Amending the Scheme by replacing all references throughout the Scheme to the ‘Department of Environmental Regulation’ with ‘Department of Water and Environmental Regulation.’

54. Amending the Scheme by replacing all references throughout the Scheme to the ‘Department of Water’ with ‘Department of Water and Environmental Regulation.’

55. Amending the Scheme by replacing ‘Department of Planning and Department of Lands’ in Clause 4.24.3 with ‘ Department of Planning, Lands and Heritage’

56. Amending the Scheme by updating all numbering so that the Scheme is internally consistent.

- B. Determine that the amendment is complex under the provisions of regulation 35.(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):**
- (c) an amendment relating to development that is of a scale, or will have an impact, that is significant relative to development in the locality;
- C. Refer Amendment 1 under regulation 37.(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* to the Western Australian Planning Commission.**
- D. Refer Amendment 1 to the EPA under Section 81 of the *Planning and Development Act 2005* and resolve to proceed to advertising of the amendment for public inspection after the referral response of the EPA and the consent to advertise of the Western Australian Planning Commission under regulation 38.(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**

10.3 MANAGER OF ENGINEERING SERVICES

10.3.1 RAVENSTHORPE EQUESTRIAN CLUB – DONATION OF PAVERS

File Ref:

| | |
|--|---|
| Applicant: | Ravensthorpe Equestrian Club Inc |
| Location: | Ravensthorpe Equestrian Club |
| Disclosure of Officer Interest: | None |
| Date: | 7 th November 2017 |
| Author: | Darryn Watkins - Manager Engineering Services |
| Authorising Officer: | Ian Fitzgerald – Chief Executive Officer |
| Attachments: | Yes - Letter – Ravensthorpe Equestrian Club |

Summary:

Council to consider the request from the Ravensthorpe Equestrian Club for the donation of paving bricks.

Background:

The Shire has received a written request from the Ravensthorpe Equestrian Club for a donation of 110 sqm of brick pavers.

The club wishes to utilise these pavers to provide safe access paths around the recently renovated clubrooms.

As stated in the letter of request, the Equestrian Club has recently held a number of successful events such as the Gymkhana which attracted 64 riders and spectators to the venue and plan to host more events in the future.

Comment:

The shire at present has a surplus of brick pavers both new and used from recent projects. Although a number of projects in this year's budget will have a requirement for these used pavers, the Shire is in possession of a quantity of dark grey pavers which were purchased as "seconds" from Austral Bricks. The pavers were classified as "seconds" due to minor colour variations and being a discontinued item. The cost of the pavers to the Shire was \$10sqm plus gst and freight.

Upon construction of the Ravensthorpe Streetscape project it became evident that there were also minor size variations in the pavers which over a large area rendered the dark grey pavers un-usable. The larger areas of dark grey paving were substituted with red pavers

therefore providing a non-returnable surplus of dark grey pavers. The Shire currently has approximately 300 sqm of dark grey paver seconds on hand.

I am of the opinion that there would be sufficient dark grey pavers that would be suitable for smaller areas.

Consultation:

Chief Executive Officer

Technical Officer

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

Nil

Strategic Implications:

Nil

Sustainability Implications:

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

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

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

Voting Requirements:

Simple Majority

OFFICER RECOMMENDATION

ITEM 10.3.1

That Council approve the request of the donation of 150 square metres of surplus red paving bricks (used) to the Ravensthorpe Equestrian Club.

10.4 CHIEF EXECUTIVE OFFICER

10.4.1 SHIRE OF RAVENSTHORPE PREMIERS AUSTRALIA DAY CITIZENSHIP AWARDS

| | |
|--|---|
| File Ref: | CR.AW.2 |
| Applicant: | Not applicable |
| Location: | Not applicable |
| Disclosure of Officer Interest: | None |
| Date: | 1 November, 2017 |
| Author: | Portia Chambers – Executive Assistant |
| Authorising Officer: | Ian Fitzgerald – Chief Executive Officer |
| Attachments: | Yes - Nominations provided under separate cover |

Summary:

To consider Australia Day Award Nominations.

Background:

A part of the Australia Day awards, the Premier's Australia Day Active Citizenship Awards focuses on community contribution and participation rather than personal achievement.

The awards highlight active citizenship, outstanding contribution to the local community and Australian pride and spirit. There are four categories;

- Citizen of the Year
- Senior Citizen of the Year (over 65 years of age)
- Youth Citizen of the Year (under 25 years of age)
- Active Citizenship Award (to recognise a community group or event)

Comment:

Councillors have been provided with a copy of the nominations. Council is now required to determine recipients of the awards for presentation on Australia Day.

Consultation:

Advertised in the Community Spirit, at the Ravensthorpe and Hopetoun Resource Centres and on the Shire of Ravensthorpe website. Nomination letters were also sent to Community Groups and Organisations.

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

Nil

Strategic Implications:

Nil

Sustainability Implications:

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

Voting Requirements:

Simple majority

| | |
|--|-------------|
| OFFICER RECOMMENDATION | ITEM 10.4.1 |
| That the Premier's Australia Day Senior Citizen of the Year Award, be awarded to _____. | |
| That the Premier's Australia Day Citizen of the Year Award, be awarded to _____. | |

10.4.2 RISK MANAGEMENT GOVERNANCE FRAMEWORK - UPDATED**File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 3 November 2017**Author:** Ian Fitzgerald – Chief Executive Officer**Authorising Officer:** Ian Fitzgerald – Chief Executive Officer**Attachments:** Yes - Risk Management Framework

Summary:

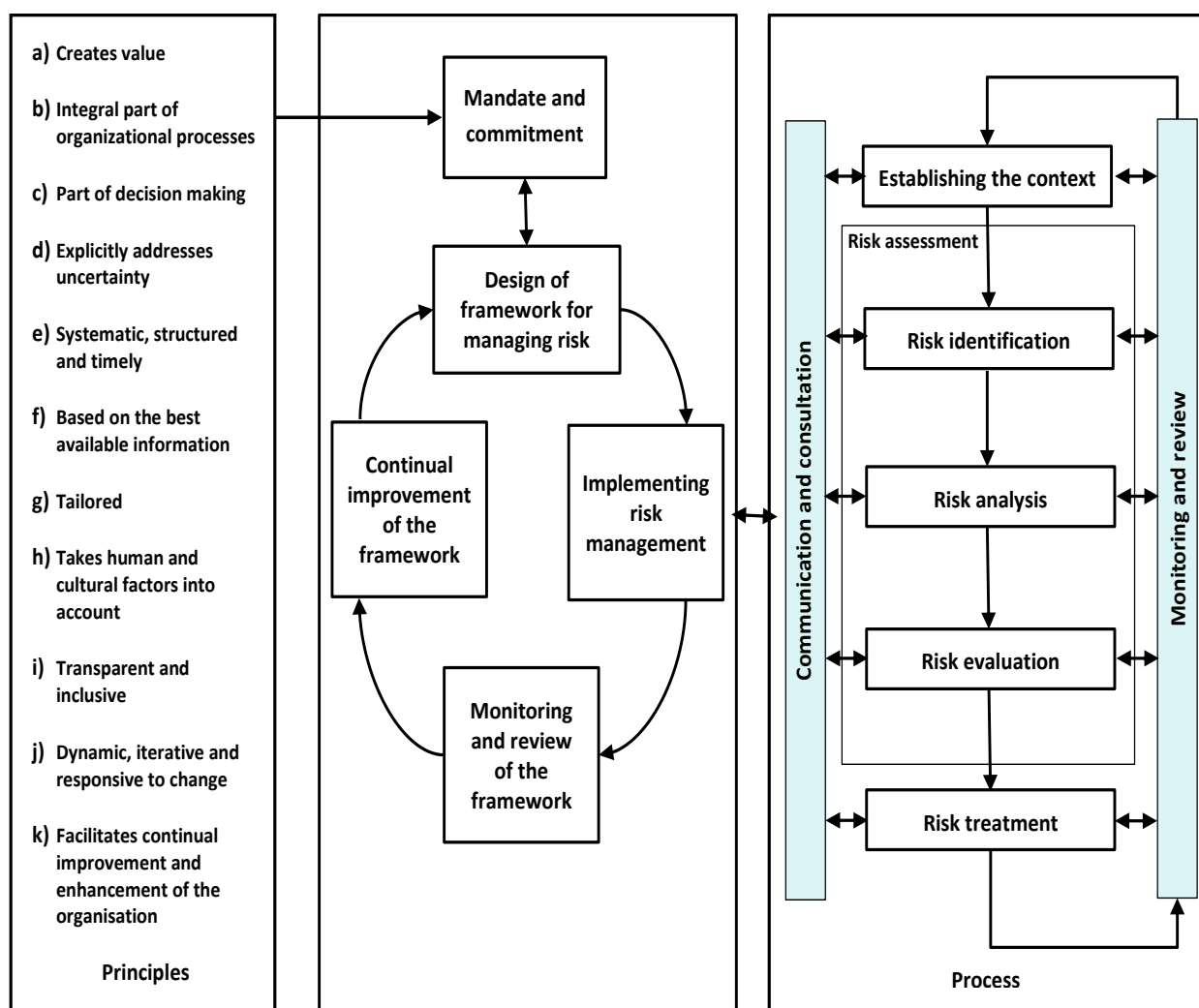
The annual review of the Risk Management Governance Framework has been conducted and is presented for Council's adoption.

Background:

The previous review was submitted to, and adopted by, Council in September 2016. Whilst Risk Management in Local Government is now required by law (since 2013), the principles of managing risk are not new.

Since that time, as time has permitted, staff have worked with Local Government Insurance Services to improve our position and identify others areas where risk may be a factor.

The Figure 1 below outlines the Risk management Process via Australian Standard AS/NZS 31000:2009.



Comment:

The events of the past 12 months and in particular since the February floods have limited the time that could be allocated to addressing some of the areas previously identified.

In saying that, it is still pleasing that some progress has been made over the last 12 months and the improvements are reflected in the detailed report attached.

As noted in the framework, Risk Management is not a destination, but more of a journey. In other words – risks constantly evolve and or are discovered or ‘detailed’.

It should not be expected that any organisation will document ‘every risk’ and put in place controls to manage every risk.

The attached Framework establishes processes by which the Chief Executive Officer, Management and employees can quantify or escalate risks to be managed by treatments or controls, or if unable or unwilling - to transfer or accept them (such as using insurance cover). Initially higher level ‘strategic’ risks were identified and in subsequent years with a greater level of maturity, understanding and time the ‘risk registers’ that will be developed to include lower order ‘operational’ risks and importantly steps to help minimise or completely mitigate the risk.

Statutory Obligations:

Regulation (number 17) in the Local Government (Audit) Regulations 1996 requires the Chief Executive Officer to undertake certain additional 'new tasks' required by that legislation.

In accordance with this regulation, the first review had to be undertaken by no later than December 2014 (two calendar years) – was completed October 2014.

Local Government (Audit) Regulations 1996 states;

“17. CEO to review certain systems and procedures

(1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —*

(a) *risk management; and*

(b) *internal control; and*

(c) *legislative compliance.*

(2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.*

Consultation:

No external community consultation is required.

The updated documentation has been reviewed by the Manager of Corporate & Community Services and Manager of Engineering Services.

The Policy and Framework is based on best practice guidance supplied by Council's Insurance Broker, Local Government Insurance Services (LGIS).

Policy Implications:

The Policy and Framework is based on Australia/New Zealand Standard ISO 31000:2009 Risk Management.

The Policy proposed is outlined in the Risk Management Framework in the attachment.

Budget / Financial Implications:

There are no known financial implications upon either the Council's current Budget or Long Term Financial Plan.

Strategic Implications:

The report and officer recommendation is consistent with Council's adopted Mission and Vision and assists achieve the following specific adopted Strategic Objectives and Goals.

Governance Objective - The Shire of Ravensthorpe provides renowned leadership in sustainability, is effective with both its consultation with its people and its management of its assets, and provides transparent and fiscally responsible decision making.

Sustainability Implications:

- **Governance:**

The updated Policy and Framework will provide a sound management platform to address compliance with the new Regulation and also makes 'good business sense'.

- **Environmental:**

There are no known significant environmental implications relating to the report or officer recommendation.

- **Economic:**

There are no known significant economic implications relating to the report or officer recommendation.

- **Social:**

There are no known significant social considerations relating to the report or officer recommendation.

Voting Requirements:

Simple majority.

| | |
|---|-------------|
| OFFICER RECOMMENDATION | ITEM 10.4.2 |
| That Council receive the updated Risk Management Governance Framework including the Risk Assessment Matrix (Appetite for Risk). | |

10.4.3 TRADES PANEL OF PREQUALIFIED GOODS AND SERVICE PROVIDERS - EXTENSION

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| File Ref: | Tender Register |
| Applicant: | Not applicable |
| Location: | Not applicable |
| Disclosure of Officer Interest: | None |
| Date: | 6 September 2016 |
| Author: | Ian Fitzgerald – Chief Executive Officer |
| Authorising Officer: | Not applicable |
| Attachments: | Nil |

Summary:

In November 2013 following the Procurement Consultancy Service of the Western Australian Local Government Association being engaged to undertake procurement services to engage contractors(s) to provide goods, services and works for the Shire of Ravensthorpe in a number of categories Council adopted the recommendations provided and established a panel of pre-qualified goods and service providers.

The initial panel was set for 3 years but the original report provided for a 2 year extension at Council's discretion.

This report recommends that the panel be extended for 2 years.

Background:

During any financial year, Shire staff have a number of requirements for external services to assist with delivery of the Shires annual capital and operating budget operations.

There is also a requirement under the Local Government Act, 1995 for Council to comply with Tender Regulations, particularly where the value of goods or a services exceeds \$150,000, either on one occasion or over a period of years. The requirement for obtaining tendered prices for some of these services can be restrictive, costly, and may result in delays.

The advertising and award of a panel type contract gives the Shire staff greater flexibility to engage contractors and services and ensures compliance with all current Local Government purchasing regulations.

Comment:

The initial invitation for tenders were invited for the following categories of goods, works and services:-

- Building and Plant Maintenance
- Building Construction

- Plant Hire
- Landscaping and Horticultural Services

Within each category there are a range of subcategories, for example Building and Plant Maintenance includes:-

- Air-conditioning
- Plumbing
- Electrical
- Mechanical
- Painting
- Carpentry

The contract period was for three (3) years, with a further (2) year extension, **exercisable at the absolute discretion of Council.**

The Shire is under no obligation to only use the successful tenders. Separate quotes and/or tenders can be invited for particular goods and services if deemed necessary. Also contractors that have not tendered/registered are able to be engaged for works or services if the works and services amounts comply with Tender Regulations or the contractors are on the WALGA preferred suppliers panel – or if the cost is below the tender threshold.

The use of the pre-qualified panel assists reduce the time required by staff, and particularly the Manager of Engineering Services, to organise jobs and obtain pricing estimates.

Consultation:

Manager Engineering Services

Statutory Obligations:

Section 3.75(1) of the Local Government Act 1995 requires a Local Government to invites tenders before it enters into a contract for a purchase of a prescribed kind. Part 4 (Provision of Goods and Services) of the Local Government (Functions and General) Regulations 1996, Regulation 11 states this is only required for purchases worth more than \$150,000.

The initial preparation, assessment and award of the tender complied with Part 4 (Provision of Goods and Services) of the Local Government (functions and General) Regulations 1996 Division 2 – tendering for Goods and Services.

Policy Implications:

The successful tenderers are to comply with all relevant council policies.

Budget / Financial Implications:

Works undertaken by members of the pre-qualified supplier panel are included within the annual budget.

Strategic Implications:

The tender ensures sound management practices and will assist in the delivery of works and services.

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 the Council authorise the Chief Executive Officer to work with WA Local Government Association to establish a new approved Panel of Pre-Qualified Suppliers to be presented to Council for their approval prior to the existing panel expiring.

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| 10.4.4 PROPOSED HAIKU ROCK POETRY TRAIL |
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File Ref:**Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 5 November 2017**Author:** Ian Fitzgerald – Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:** Nil**Summary:**

Council has been approached by Ms Helen Taylor for their support in developing a Haiku Poetry trail within the shire using large rocks as the base surface for the poetry.

Background:

Ms Taylor has been developing this concept for some time and has now had discussions with Ravensthorpe Districts Art Council and the Dunnart Galley who are both supportive of the concept.

Comment:

The concept would involve a number of large rocks being placed in strategic locations around the shire with 3 lines of poetry cut into each rock. Locations that are being considered include Ravensthorpe Town Hall, Hopetoun Community Centre, Dunnart Gallery, the groyne and Bird Hide. The rocks would be “engraved” prior to being put into place.

It is possible more locations could be identified as the project develops with a trail being developed and promoted given visitors to the area another thing to do whilst here and encourage travel within our shire area.

At this point Council is being asked to support the project by allowing the rocks to be located in areas that we control and possibly providing some assistance in placing the rocks as they will be quite sizeable and not easily moved around. There has not been a request for a direct cash contribution to the project at this stage.

Examples of the poetry that have been provided include:

white veil billows
a thousand stilts
over the estuary

after winter’s cold
basking on warm rock
lizard and me

Carnaby’s cockatoos
trash Royal Hakea
seed the ground

Consultation:

Nil

Statutory Obligations:

Local Government Act 1995

Policy Implications:

Nil

Budget / Financial Implications:

Nil.

Strategic Implications:

The development of new attractions will help encourage visitors to our region.

Sustainability Implications:

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

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION

ITEM 10.4.4

That the Council give in principle support to the concept of a Haiku Poetry Trail being developed to allow the proponents to further investigate and plan the implementation of the project.

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