



AGENDA

For the Council Meeting to be held on

Thursday 21 September 2017

Commencing at 5:00pm

at Munghlinup Recreation Centre.



SHIRE OF RAVENSTHORPE

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Ravensthorpe Shire Council for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Ravensthorpe Shire Council disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity that act or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

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

14 September 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:.....

ORDINARY MEETING OF COUNCIL
TO BE HELD AT MUNGLINUP RECREATION CENTRE ON THURSDAY 21 SEPTEMBER
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 Peter Smith (Deputy Shire President)
 Cr Kerry Dickinson
 Cr Sharyn Gairen
 Cr Graham Richardson
 Cr Ian Goldfinch
 Cr Ken Norman

STAFF: Ian Fitzgerald (Chief Executive Officer)
 Jenny Goodbourn (Manager of Corporate and Community Services)
 Hanneke Coetzee (Executive Assistant)

APOLOGIES: Darryn Watkins (Manager Engineering Services)

ON LEAVE OF ABSENCE:

ABSENT:

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

4. PUBLIC QUESTION TIME

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

6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

7. CONFIRMATION OF MINUTES

7.1 COUNCIL MEETING: 17 AUGUST, 2017

OFFICER RECOMMENDATION	ITEM 7.1
That the minutes of the meeting of council held on 17 August 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 – AUGUST 2017****File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 31 August, 2017**Author:** Eimear Guidera – Payroll/Creditors Officer**Authorising Officer:** Stacey Howard – Senior Finance Officer**Attachments:**
A: Schedule of Payments to 31.08.2017
B: Credit Card Transactions to 01.09.2017**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 August 2017**

FUND	PAYMENT	VOUCHERS	AMOUNTS
Municipal Account	EFTs	EFT7417-EFT7522	\$418,977.10
		Direct Debit	\$3,454.10
	Municipal Fund	0000156 – 000168	\$10,517.76
	Cheques		
Payroll	Dates	02/08/2017 16/08/2017 30/08/2017	\$266,258.99
Superannuation		Direct Debit	\$38,199.70
Bank Fees			\$131.21
Municipal Account Total			\$737,670.06

Shire Credit Card Facility	Westpac VISA	02/08/2017- 01/09/2017	\$13,281.22
Trust Account Payments	EFTs Cheques	EFT7523	\$39,358.05
Grand Total			\$790,309.33

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 August 2017, be noted.

10.1.2 MONTHLY FINANCIAL REPORT - AUGUST 2017**File Ref:****Applicant:****Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 6th September 2017**Author:** Jenny Goodbourn – Manager of Corporate & Community Services**Authorising Officer:** Not applicable**Attachments:** Monthly Financial Reports for August 2017**Summary:**

This report presents the monthly financial reports for August 2017 to Council which is provided as an attachment to the agenda. The recommendation is to receive the August 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

September. 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 31st August 2017 in accordance with Section 6.4 of the Local Government Act 1995.

10.2 MANAGER OF PLANNING AND DEVELOPMENT

10.2.1 LOCAL PLANNING STRATEGIE AMENDMENT NO. 1

File Ref:	N/A
Applicant:	Internal
Location:	Shire of Ravensthorpe
Date:	11 September 2017
Author:	Richard Hindley
Authorising Officer:	Richard Hindley
Attachments:	Local Planning Strategy Amendment No.1

Summary:

For Council to consider proceeding with Amendment No. 1 to the Local Planning Strategy to include rural precincts in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015.

Background:

The Local Planning Strategy was endorsed by the Western Australian Planning Commission on the 20 November 2014. A number of enquires have been received in relation to the permissibility of rural subdivision in different areas of the Shire however the current planning framework does not provide for any rural subdivision.

Site Description

Shire of Ravensthorpe

Zoning and Scheme Requirements

The Local Planning Strategy is related to, but not part of, Local Planning Scheme No. 6.

Comment:

The Local Planning Strategy does not contain rural subdivision controls and as such all rural subdivision is deferred to WAPC policy. This amendment seeks to introduce rural subdivision controls over the rural zoned areas of the Shire.

Proposal

The proposed amendment is self-explanatory and it is not proposed to include a separate summary in this report. A new section is proposed to be inserted into the Local Planning Strategy referencing a new Schedule that will contain the Precinct Statements.

It is proposed to insert 12 Precinct Statements to provide strategic direction as well as subdivision criteria on a precinct basis.

The format of each precinct is:

- Objectives
The broad intent of the Precinct
- Background
Any precinct specific details to set the context for the precinct
- Strategy
What the precinct is seeking to achieve
- Actions
Identifies any actions required to address the Strategy

Assessment

The proposed amendment to the Strategy is consistent with State Planning Policy 2.5: Rural Planning (SPP2.5). Clause 6.5 of SPP2.5 states that is the view of the WAPC that there are sufficient suitably sized and located rural lots to cater for intensive and emerging primary production land uses. Creation of new rural lots through ad-hoc, unplanned subdivision will not be permitted.

In contemplating subdivision on rural land, the relevant parts of WAPC policy are:

- (a) The creation of new or smaller rural lots will be by exception and in accordance with Development Control Policy 3.4: Subdivision of rural land;
- (b) The creation of new or smaller rural lots by exception may be provided for in other State Planning Policies and/or a local planning strategy or scheme;

Of particular pertinence is that a local planning strategy can be the basis for an exception to the subdivision standards of SPP2.5.

The proposed amendment to the Strategy is also consistent with Development Control Policy 3.4: Subdivision of Rural Land (DC3.4). In determining subdivision applications, in addition to the provisions of DC3.4, the WAPC will have due regard to a local planning strategy or local rural strategy.

The amendment introduces precincts into the Local Planning Strategy to guide subdivision standards across the rural areas of the Shire.

Conclusion

The proposed amendment to the Local Planning Strategy inserts precinct based controls for rural subdivision and is complementary to Local Planning Scheme No. 6. This will resolve the issue of having no rural subdivision guidance within the current Strategy or Local Planning Scheme No. 6.

Consultation:

A minimum 21 day advertising period applies for a Local Planning Strategy Amendments which will commence upon consent to advertise from the Western Australian Planning Commission.

Statutory Obligations:

Planning and Development (Local Planning Schemes) Regulations 2015
Planning and Development Act 2005

Policy Implications:

None for Council

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:	
<ol style="list-style-type: none">1. Under regulation 11(1) of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>, resolve to amend the Shire of Ravensthorpe Local Planning Strategy endorsed by the Western Australian Planning Commission on the 20th November 2014.2. Under regulation 12(1) of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>, forward a copy of the Local Planning Strategy Amendment 1 to the Western Australian Planning Commission.3. Under regulation 13(1) of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>, after being provided with certification that the local planning strategy amendment 1 complies with regulation 11(2) advertise the local planning strategy in accordance with the Regulations.	

10.2.2 LOCAL PLANNING SCHEME NO. 6 – AMENDMENT NO. 1

File Ref:	N/A
Applicant:	Internal
Location:	Shire of Ravensthorpe
Date:	10 August 2017
Author:	Richard Hindley
Authorising Officer:	Richard Hindley
Attachments:	LPS No.6 Amendment no. 1

Summary:

For Council to consider initiating Amendment 1 to Local Planning Scheme No. 6 to amend the Scheme by amending existing provisions and incorporating new clauses as outlined below

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 insert a number of new and expanded provisions to improve consistency between Local Planning Scheme No. 6 and the Shire of Esperance's Local Planning Scheme No. 24.

A number of other modification are proposed to improve the clarity of the Scheme and to ensure the ease if its interpretation by the users of the document.

A new Special Control Area is proposed over the Unallocated Crown Land in the Shire that is zoned 'Rural'. This approach inserts identical controls that are in Special Control Area No. 10 in the Shire of Esperance's Local Planning Scheme No. 24.

The deletion of all clauses relating to the 'General Industry' zone and conversion of all this land to 'Light Industry' is also undertaken by this amendment.

Map modifications are proposed to reflect the changes made within the Scheme text.

Corrections have also been made to several incorrect references.

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 Land Uses within Clause 3.2;
2. Removing the 'General Industry' zone;
3. Introducing new exemptions;
4. Updating the Potable Water Standard in the Scheme;
5. Inserting provisions for Sites with more than one street frontage;
6. Inserting provisions for Reciprocal and Shared Parking;
7. Inserting provisions for Parking of Commercial Vehicles;
8. Inserting provisions for Effluent Disposal;
9. Inserting provisions for Light Overspill;
10. Updating the Caretakers Dwelling provisions;
11. Updating the Second-hand Dwellings and Repurposed Dwelling provisions;
12. Inserting provisions for Shipping Containers;
13. Inserting a new Special Control Area for Undeveloped Rural Areas;
14. Inserting new definitions into the Scheme;
15. Updating Schedule 2 to clarify development standards;
16. Inserting a new Schedule for Exempted Signage and Advertising;
17. Amending the Scheme Map to reflect changes in the Text; and
18. Correct typographical errors in the Scheme.

The proposed provisions are consistent with the Local Planning Strategy.

Proposal

Amend the numbering of Clause 2.3

This modification is the renumbering of the clause to allow the insertion of a new clause.

Amend Clause 2.3 by inserting as a new Clause b)

This modification inserts a new provision that allows a Shire managed reserve to be used for the purposes of developing or maintaining public infrastructure despite the purposes that is assigned for the reserve under the Scheme.

Amend the Scheme by adding a point iii to Clause 3.1 e)

This modification inserts a new objective into the 'Light Industry' zone to cater for its expansion to include the land formerly zoned 'General Industry'. It is proposed to rezone all 'General Industry' zoned land to 'Light Industry' as the uses permitted in both zones are nearly identical. As a component of this all parts of the Scheme that reference the 'General Industry' zone require deletion.

Amend the Scheme by deleting Clause 3.1 f)

This modification deletes the objectives for the 'General Industry' zone. It is proposed to rezone all 'General Industry' zoned land to 'Light Industry' as the uses permitted in both zones are nearly identical. As a component of this all parts of the Scheme that reference the 'General Industry' zone require deletion.

Amend Clause 3.2 Zoning Table by amending the order of Use Classes

This modification resorts the Zoning Table so that land uses are sorted alphabetically. It is also proposed to remove the subheadings so that the Table reads as a traditional zoning table.

Amend Clause 3.2 Zoning Table by amending the permissibility of 'Repurposed dwelling'

This modification amends the permissibility of 'repurposed dwelling' to 'X' in the 'Residential, Rural Townsite and Mixed Use' zones. The use retains the same permissibility in all other zones.

Amend Clause 3.2 Zoning Table by amending the permissibility of 'Exhibition Centre'

This modification amends the permissibility of 'Exhibition Centre' to 'A' in the 'Light Industry' zone. It is proposed to rezone all 'General Industry' zoned land to 'Light Industry' as the proposed change is as a result of amalgamating the zones.

Amend Clause 3.2 Zoning Table by amending the permissibility of 'Reception Centre'

This modification amends the permissibility of 'Reception Centre' to 'X' in the 'Light Industry' zone. It is proposed to rezone all 'General Industry' zoned land to 'Light Industry' as the proposed change is as a result of amalgamating the zones

Amend Clause 3.2 Zoning Table by amending the permissibility of 'Trade Supplies'

This modification amends the permissibility of 'Trade Supplies' to 'A' in the 'Light Industry' zone. It is proposed to rezone all 'General Industry' zoned land to 'Light Industry' as the proposed change is as a result of amalgamating the zones

Amend Clause 3.2 Zoning Table by deleting the 'General Industry' zone

This modification deletes the 'General Industry' zone from the Zoning Table. It is proposed to rezone all 'General Industry' zoned land to 'Light Industry' as the uses permitted in both zones are nearly identical. As a component of this all parts of the Scheme that reference the 'General Industry' zone require deletion

Amend Clause 3.2 Zoning Table by inserting 'Renewable energy facility'

This modification introduces a renewable energy facility as a land use within the Zoning Table and assigns permissibilities based on zone.

Amend Clause 3.2 Zoning Table by inserting 'Winery'

This modification introduces a renewable energy facility as a land use within the Zoning Table and assigns permissibilities based on zone.

Amend the Scheme by inserting a new clause 61(1)(o) into Schedule A

This modification incorporates exemptions for shipping containers where it not:

- Fully enclosed within a building;
- To be used for the storage of plant, machinery or building equipment where a building permit is current and construction is taking place, provided that the Shipping Container shall be removed within 14 days of completion of construction; or
- A component of an otherwise approved commercial or industrial land use.

This modification is related the incorporation of controls in relation to sea containers as part of this Amendment.

Amend the Scheme by inserting a new clause 61(1)(p) into Schedule A

This modification introduces an exemption for signage that is contained within a new Schedule that is proposed to be inserted into the Scheme. This approach was also taken in Scheme No. 5.

Amend the Scheme by inserting a new clause 61(1)(q) into Schedule A

This modification introduces an exemption for Agricultural activities within the 'Rural' zone. This clause exempts the use of land for 'Agriculture – Extensive' purposes, the erection of windmills and the construction of water tanks, dams and soaks in the 'Rural' zone in compliance with the setback standards contained in Schedule 2.

Amend the Scheme by inserting a new clause 61(1)(r) into Schedule A

This modification introduces an exemption for satellite dishes. The exemption applies where the proposed dish has a diameter of 1.2 metres or less.

Amend the Scheme by inserting a new clause 61(1)(s) into Schedule A

This modification introduces an exemption for a 'renewable energy facility' that is incidental in nature to the use of the land.

Amend the Scheme by inserting a new clause 61(1)(t) into Schedule A

This modification introduces an exemption for a solar hot water system. This exemption is included as based on the current exemptions any commercial premise would need development approval to install solar hot water.

Amend the Scheme by replacing Clause 4.29 with a new heading of 'Potable Water Supply'

This modification introduces a new potable water provision into the Scheme that is consistent with Statement of Planning Policy 2.5 Rural Planning and the associated Rural Planning Guidelines. It should be noted that the formula has had a slight modification with a reduced water consumption rate that reflects usage of tank water when compared to reticulated water.

Amend the Scheme by inserting a new clause 4.33 with the heading 'Site with more than One Street Frontage'

This modification introduces a new provision to provide controls for determining setbacks when a development site has more than one street frontage.

Amend the Scheme by inserting a new clause 4.34 with the heading 'Reciprocal Parking and Shared Parking'

This modification introduces new provisions to manage Reciprocal Parking and Shared Parking. Currently the Scheme does not allow parking to be offset either by time of use or alternative sites and this provision allows this to occur.

Amend the Scheme by inserting a new clause 4.35 with the heading 'Parking of Commercial Vehicles in Residential Areas'

This modification introduces that no person shall park within the 'Residential' or 'Rural Townsite' zone a commercial vehicle without the development approval of the local

government. Where the commercial vehicle parking use is proposed in the 'Residential' or 'Rural Townsite' a number of criteria are specified.

Amending the Scheme by inserting a new clause 4.36 with the heading 'Effluent Disposal'

This modification introduces criteria for effluent disposal into the Scheme. These criteria relate on-site effluent disposal systems being to the specifications and satisfaction of the local government. Requirements for the use of 'non-standard' effluent disposal systems may be required at the discretion of the local government.

Amend the Scheme by inserting a new clause 4.37 with the heading 'Light Overspill'

This modification introduces a restriction on Floodlights, spotlights and all other forms of lighting shall be constructed, oriented and controlled so as not to adversely impact on the amenity of any adjacent residents or cause a traffic hazard in the adjacent road network.

Amend the Scheme by replacing Clause 4.25

This modification to the Scheme expands on the requirements for 'caretakers dwellings'. The provision is an extension to the current clause and in particular requires that the when the main use of the site ceases the 'caretakers dwelling' approval is to cease.

Amend the Scheme by replacing Clause 4.27

This modification to the Scheme expands on the requirements for 'Second-hand dwellings' and 'Repurposed dwelling'. The provisions retain the requirement for approval to be issued whilst providing a wider range of criteria by which to assess applications.

Amend the Scheme by replacing '4.31.1' within Clause 4.30.2 with '4.30.1'

This modification corrects an incorrect clause reference within Clause 4.30.2.

Amend the Scheme by replacing '4.31.1' within Clause 4.30.3 with '4.30.1'

This modification corrects an incorrect clause reference within Clause 4.30.3.

Amend the Scheme by inserting a new clause 4.36 with the heading 'Shipping Container Requirements'

It is proposed to introduce shipping container requirements into the Scheme. These requirements are currently in policy and this approach reflects that undertaken by the Shire of Esperance in Local Planning Scheme No. 24.

Amend the Scheme by inserting a new clause 4.36 with the heading 'Outbuildings in the Residential and Rural Residential Zones'

It is proposed to restrict the development of outbuildings on a 'Residential' or 'Rural Residential' zoned lots so it is not permitted unless development approval has already been issued for the erection of a single house, grouped dwelling or multiple dwelling on the lot.

Amend the Scheme by inserting a new clause 4.24.4

It is proposed to introduce a new provision that exempts 'Telecommunications Infrastructure' within the 'Rural' zone from the setbacks assigned in Schedule 2.

Amend the Scheme by renumbering the second Clause 5.1.1 with Clause 5.1.2

This modification corrects an incorrect clause reference within Clause 5.1.2.

Amend the Scheme by inserting a new clause within Table 12 – Special control areas in the Scheme

It is proposed to insert a new Special Control Area within the unallocated crown land areas of the Shire that are zoned 'Rural' in the Scheme. This Special Control Area is consistent with a comparable clause within the Shire of Esperance Local Planning Scheme No 24 and it seeks to provide for mining activity, low key eco-tourism uses, environmental conservation and agricultural land uses within the area subject to a range of appropriate controls.

Amend Clause 6.2 by inserting the definition of Renewable Energy Facility

It is proposed to insert a new land use into Clause 3.2 – zoning table and this definition is included from the Planning and Development (Local Planning Schemes) Regulations 2015.

Amend Clause 6.2 by inserting the definition of Winery

It is proposed to insert a new land use into Clause 3.2 – zoning table and this definition is included from the Planning and Development (Local Planning Schemes) Regulations 2015.

Amend the Scheme by replacing 'Nil' within the front setback of Non-residential uses in the Rural Townsite zone Schedule 2 with 'Nil'.

It is proposed to correct a typographical error with this modification.

Amend the Scheme by replacing 'variable' within the rear setback of Non-residential uses in the Rural Townsite zone Schedule 2 with 'Nil'.

The use of the word 'variable' creates uncertainty both for developers and assessing officers. It is proposed to insert a standard in the place of an undefined attribute. In this instance it is proposed that the rear setback of non-residential uses in the 'Rural Townsite' zone be listed as 'Nil'.

Amend the Scheme by replacing 'variable' within the landscaping of Non-residential uses in the Rural Townsite zone Schedule 2 with '10'.

The use of the word 'variable' creates uncertainty both for developers and assessing officers. It is proposed to insert a standard in the place of an undefined attribute. In this instance it is proposed that the landscaping of non-residential uses in the 'Rural Townsite' zone be listed as '10',

Amend the Scheme by replacing 'variable' within the rear setback of Non-residential uses in the Mixed Use zone Schedule 2 with 'Nil'.

The use of the word 'variable' creates uncertainty both for developers and assessing officers. It is proposed to insert a standard in the place of an undefined attribute. In this instance it is proposed that the rear setback of non-residential uses in the 'Mixed Use' zone be listed as 'Nil'.

Amend the Scheme by replacing 'variable' within the landscaping of Non-residential uses in the Mixed Use zone Schedule 2 with '10'.

The use of the word 'variable' creates uncertainty both for developers and assessing officers. It is proposed to insert a standard in the place of an undefined attribute. In this instance it is proposed that the landscaping of non-residential uses in the 'Mixed Use' zone be listed as '10',

Amend the Scheme by replacing 'Variable' within the Plot Ratio of Tourism in Schedule 2 with '0.75'.

The use of the word 'variable' creates uncertainty both for developers and assessing officers. It is proposed to insert a standard in the place of an undefined attribute. This modification introduces a plot ratio requirement of 0.75. This allows a wide range of development to occur without encountering a restriction under the Scheme and is particularly pertinent for smaller lots.

Amend the Scheme by replacing 'Variable' within the Rear Setback of Tourism in Schedule 2 with 'Nil(i)'.

The use of the word 'variable' creates uncertainty both for developers and assessing officers. It is proposed to insert a standard in the place of an undefined attribute. In this instance it is proposed that the rear setback of non-residential uses in the 'Tourism' zone be listed as 'Nil(i)'

Amend the Scheme by inserting a new box for 'Tourism' to clarify Setback standards in Schedule 2

It is proposed to introduce a new standard as (i) under the 'Tourism' zone. This is a conditional variation that stipulates that where a development in the 'Tourism' zone adjoins the 'Residential' zone the minimum setback shall be at the discretion of the local government.

Amend the Scheme by deleting the row 'General Industry' in Schedule 2.

All 'General Industry' zoned land will become 'Light Industry' on the Scheme Map. A number of modifications such as this one are proposed throughout this amendment to support the removal of the 'General Industry' zone.

Amend the Scheme by replacing 'Variable' within the Plot Ratio of Light Industry in Schedule 2 with '0.6'.

The use of the word 'variable' creates uncertainty both for developers and assessing officers. It is proposed to insert a standard in the place of an undefined attribute. This modification introduces the plot ratio requirement contained within Local Planning Policy No.7 – Industrial Design Guidelines into the Scheme.

Amend the Scheme by inserting a new Schedule 5 with the heading 'Exempted Signage and Advertising'

It is proposed to reintroduce a Schedule into the Scheme that list the exempted signage. The proposed exemptions are consistent with what was provided for in Scheme No. 5 and the Signage Local Planning Policy.

Amend the Scheme Map by showing all 'General Industry' zoned land as 'Light Industry'

This modification deletes the 'General Industry' zone from the Scheme Map. All 'General Industry' zoned land will become 'Light Industry' on the Scheme Map. A number of other modifications are proposed throughout this amendment to support the removal of the 'General Industry' zone.

Amend the Scheme Map by showing SCA5 as depicted on the Scheme Amendment Map

This modification inserts SCA5 onto the Scheme Map. The area identified is those areas that are zoned 'Rural' and are also unallocated crown land.

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:

A number of the provisions introduced by this amendment will result in the amendment of a number of local planning policies. Given the length of time it take to finalise the amendment process the current proposed policy framework should be maintained until such time as Amendment No. 1 is gazetted.

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 10.2.2

That Council:

- A.** In pursuance of Section 75 of the *Planning and Development Act 2005* amend Local Planning Scheme No. 6 by:
1. Amending Clause 2.3 by numbering the line beneath the heading as 'a')
 2. Amending Clause 2.3 by inserting as a new Clause b):

 'Despite anything contained in clause 2.2, a reserve may be used by the local government for the purposes of developing or maintaining public infrastructure.'
 3. Amending the Scheme by adding a point iii to Clause 3.1 e) as follows:

 'iii. Seek to manage impacts such as noise, dust and odour within the zone.'
 4. Amending the Scheme by deleting Clause 3.1 f) and renumber all subsequent clauses accordingly.
 5. Amending Clause 3.2 Zoning Table by amending the order of Use Classes to be sorted alphabetically and deleting the headings in bold within the table.
 6. Amending Clause 3.2 Zoning Table by amending the permissibility of 'Repurposed dwelling' to 'X' in the 'Residential, Rural Townsite and Mixed Use' zones;
 7. Amending Clause 3.2 Zoning Table by amending the permissibility of 'Exhibition Centre' to 'A' in the 'Light Industry' zone;
 8. Amending Clause 3.2 Zoning Table by amending the permissibility of 'Reception Centre' to 'X' in the 'Light Industry' zone;
 9. Amending Clause 3.2 Zoning Table by amending the permissibility of 'Trade Supplies' to 'D' in the 'Light Industry' zone;
 10. Amending Clause 3.2 Zoning Table by deleting the 'General Industry' zone;
 11. Amending Clause 3.2 Zoning Table by inserting 'Renewable energy facility' as an 'X' use in the 'Residential' and 'Tourism' zones, 'A' use in the 'Rural Townsite', 'Mixed Use' and 'Rural Residential' zones and as a 'D' use in the 'Light Industry' and 'Rural' zones.

12. Amending Clause 3.2 Zoning Table by inserting 'Winery' as an 'X' use in all zones except 'Rural' where it will be a 'D' use.

13. Amending the Scheme by inserting a new clause 61(1)(o) into Schedule A:

'Development Approval is required for the placement of a shipping container on a lot except where it is:

- (i) Fully enclosed within a building;
- (ii) To be used for the storage of plant, machinery or building equipment where a building permit is current and construction is taking place, provided that the Shipping Container shall be removed within 14 days of completion of construction; or
- (iii) A component of an otherwise approved commercial or industrial land use.'

14. Amending the Scheme by inserting a new clause 61(1)(p) into Schedule A:

'The signage and advertisements contained in Schedule 5 of this Scheme do not require development approval;'

15. Amending the Scheme by inserting a new clause 61(1)(q) into Schedule A:

'The use of land for Agriculture – Extensive purposes, the erection of windmills and the construction of water tanks, dams and soaks in the Rural zone in compliance with the setback standards contained in Schedule 2.'

16. Amending the Scheme by inserting a new clause 61(1)(r) into Schedule A:

'One satellite dish with a diameter of less than 1.2 metres;'

17. Amending the Scheme by inserting a new clause 61(1)(s) into Schedule A:

'A renewable energy facility that is incidental in nature to the use of the land;'

18. Amending the Scheme by inserting a new clause 61(1)(t) into Schedule A:

'A solar hot water system.'

19. Amending the Scheme by replacing Clause 4.29 with a new heading of 'Potable Water Supply' with the following:

- (a) All buildings intended for residential use shall be connected to a reticulated water supply provided by a licensed water provider. Where a reticulated supply is not available buildings intended for residential use must include provision for the storage of water tanks of not less than 120,000 litres of capacity.

Where rainfall is to be used as the predominant source for a water storage tank, the minimum collection area, in terms of rain surface runoff, to service the tank, is to be provided. The collection area will normally comprise of the roof area of structures on the lot and may include the dwelling, outbuildings and any other structure capable of collecting and directing water into the tank.

The size of the collection area is to be based on the following calculation:

Collection area (m²) = Average Household Water Consumption (L) divided by (0.85 multiplied by (local rainfall in mm -24mm)).

- Collection area (m²) is the minimum area for rain surface runoff that is required to service the water tank.
- Unless the Shire has determined otherwise the average household water consumption will be 147,800L
- 0.85 is the efficiency of the collection meaning a minimum of 85% of the water will be collected (the Local Government may accept a greater efficiency rate if it can be demonstrated through design).
- Local rainfall is the average annual mean rainfall measured in millimetres (mm) guided by the nearest collection point provided by the bureau of Meteorology.
- 24mm is the anticipated loss through absorption and wetting of materials based on 2mm a month.

Potable water is of the quality specified under the Australian Drinking Water Quality Guidelines 2004 (as amended).'

20. Amending the Scheme by inserting a new clause 4.33 with the heading 'Site with more than One Street Frontage' with the following:

- (a) Where a development site has frontage to more than one street (except in the 'Residential' zone), the local government may: –
- (i) Designate one of the streets to be a primary street for the purpose of determining front setbacks;
 - (ii) Require that the specified front setbacks shall apply to each road;
 - (iii) Permit the setback on a secondary street to be reduced to half of the specified front setback or averaged unless the site

is adjacent to a State Highway, Limited Access Road, Primary Distributor Road or Local Distributor Road unless other more specific provisions in the Scheme apply; or

(iv) Refuse vehicular access to one of the roads.'

21. Amending the Scheme by inserting a new Clause 4.34 with the heading 'Reciprocal Parking and Shared Parking' with the following:

- '(a) Subject to the Scheme, and the provisions of any relevant Local Planning Policy, the Local Government may exercise its discretion in granting planning approval to permit a proportion of the total number of car parking bays required under the Scheme to be provided jointly with any one or more other premises within a location, where it is demonstrated to the satisfaction of the Local Government that reciprocal and/or shared car parking would result in the same number of car parking bays required under the Scheme. Under this clause, "reciprocal" parking relates to land that is privately owned and "shared" parking relates to land which is owned by the Local Government or is vested with the Local Government for public parking.
- (b) Subject to the Scheme, and the provisions of any relevant Local Planning Policy, reciprocal and/or shared car parking shall only be permitted in locations where the following has been demonstrated to the satisfaction of the Local Government:
- (i)** reciprocal or shared off-street parking facilities are available in the location that sufficiently accommodates the deficit in car parking required under the Scheme for the development/use;
- (ii)** the peak hours of operation of developments/uses so sharing are different and do not substantially overlap, whether or not the premises providing shared car parking separately have the prescribed number of parking bays; and
- (iii)** that a legally binding agreement has been made to enable those reciprocal or shared off-street parking facilities to be used for that purpose. Where a reciprocal or shared parking arrangement is proposed as part of an application for planning approval, the written consent of the property owner of the reciprocal or shared parking facility must be in the form of a legally binding agreement between both parties that is prepared to the satisfaction of the Local Government, and at the applicant's own cost.
- (c) Where an application proposes reciprocal and/or shared car parking in accordance with this clause, the Local Government shall require a supporting development impact statement (with respect to traffic management and parking demand), to be prepared at the applicant's cost and to the satisfaction of the Local Government as

part of any application for planning approval.

- (d) The Local Government may require that reciprocal access and circulation arrangements are provided for any use/development of premises, where such arrangements are deemed necessary to improve traffic management, road safety or amenity.'

22. Amending the Scheme by inserting a new clause 4.35 with the heading 'Parking of Commercial Vehicles in Residential Areas':

'(a) No person shall park within the Residential zone a commercial vehicle without the planning approval of the local government. Where the commercial vehicle parking use is proposed in the Residential zone it shall comply with the following:

- (i) not more than one such vehicle is to be parked on a lot;
- (ii) the vehicle is to form an essential part of the lawful occupation of an occupant of the dwelling and that occupation if carried on upon the lot does not contravene the Scheme;
- (iii) the vehicle is to be parked behind the front building line and effectively screened from view from outside the lot;
- (iv) no part of the vehicle is to be parked on any portion of a right-of-way or public road contiguous with the lot;
- (v) the vehicle is not to exceed 3.0 metres in height or 8.0 metres in length;
- (vi) no major/minor servicing of vehicles shall be undertaken on the lot; and
- (vii) the vehicle is not brought to or taken from the lot between the hours of midnight and 6.00 am.'

23. Amending the Scheme by inserting a new clause 4.36 with the heading 'Effluent Disposal' with the following:

'(a) Where existing and proposed lots within the Scheme Area are not connected to a reticulated sewerage system, on-site effluent disposal systems shall be to the specifications and satisfaction of the local government. The use of 'non-standard' effluent disposal systems may be required at the discretion of the local government and in any event the following requirements shall be satisfied:

- (i) a 2 metre separation between the base of the leach drain and the highest recorded groundwater level or bedrock;

- (ii)** at least 100 metres horizontal separation between the effluent disposal system and existing drains, water courses and water bodies;
- (iii)** the area around each effluent disposal system shall be planted with indigenous trees and shrubs and shall be maintained;
- (iv)** prevention of direct movement of wastewater and nutrients from the locality of each effluent disposal system.

The above requirements may be altered where soil amending techniques are introduced or alternatively the use of modified effluent disposal systems may be permitted in accordance with management guidelines prepared by the Local Government.

- (b)** Where on site effluent disposal systems are used, the system shall be located within the prescribed building envelope or in another appropriate location specified by the Local Government.'

24. Amending the Scheme by inserting a new clause 4.37 with the heading 'Light Overspill with the following:

- '(a) Floodlights, spotlights and all other forms of lighting shall be constructed, oriented and controlled so as not to:

- (i)** adversely impact on the amenity of any adjacent residents;
or
- (ii)** Cause a traffic hazard in the adjacent road network.'

25. Amending the Scheme by replacing Clause 4.25 with the following:

- '(a) Where a caretaker's dwelling use is proposed it shall comply with the following:

- (i)** A caretaker's dwelling must be incidental to the predominant use of the site.
- (ii)** Only one caretaker's dwelling is permitted on each lot.
- (iii)** The total plot ratio area of a caretaker's dwelling is 100m², measured from the external face of walls excluding verandahs and carports.
- (iv)** Verandahs and carports may be permitted, but if enclosed will form part of the total calculated floor area.
- (v)** The Local Government may consider the use of notifications on title to advise prospective purchasers of potential impacts

from noise, dust, odour or amenity that may arise from the location of a caretaker's dwelling within the zone.

- (vi)** The Local Government will not consider applications for caretakers' dwellings prior to the primary site activity being either approved or constructed.
- (vii)** Where simultaneous approval has been granted by the Local Government for both a caretaker's dwelling and the main activity on the same lot, the main activity must be developed and operational prior to occupation of the dwelling.
- (viii)** Caretaker's dwellings should be carefully sited and constructed so the potential site (or estate) impacts from noise, dust, odour or amenity are minimised.
- (ix)** A caretaker's dwelling may only be occupied by the owner, manager, lessee or employee (and immediate family thereof) of the lawfully established or approved land use.
- (x)** Where the primary site activity has ceased the occupation of the caretaker's dwelling is to cease.'

26. Amending the Scheme by replacing Clause 4.27 (Retaining the heading) with the following:

4.27.1 Second-hand dwellings

- (a)** Notwithstanding any other requirement of the Scheme, all Second-hand dwellings require the planning approval of the local government.
- (b)** Where a Second-hand dwelling use is proposed it shall comply with the following in addition to any other relevant provision of the Scheme:
 - (i)** A building that has a roof or wall sheeting or any other material such as sound proofing or insulation, that contains asbestos, is not permitted to be relocated until those materials containing asbestos are removed and disposed of in the appropriate manner, prior to transportation.
 - (ii)** The void area between the floor and natural ground levels is to be enclosed with brickwork, battens or other suitable materials as approved by the local government.
- (c)** When considering an application for planning approval for a second-hand dwelling, the local government may impose conditions concerning:

- (i)** The external appearance and material finishes, the screening of sub-floor spaces, the addition to or modification to the existing dwelling and the time frame imposed to complete specified work and connect the dwelling or building to lot services;
 - (ii)** The provision of landscaping and/or screening of the building and/or site; and
 - (iii)** The provision of a bond or bank guarantee in favour of the Local Government as surety for the completion of the building to a standard of presentation acceptable to the Local Government within a specified time.
- (d) Where the provision of a bond or bank guarantee is required, the Local Government shall refund the payment upon satisfactory completion of the necessary works.

4.27.2 Repurposed dwelling

- (a) Notwithstanding any other requirement of the Scheme, all Repurposed dwelling require the planning approval of the local government.
- (b) Where a Repurposed dwelling use is proposed it shall comply with the following:
 - (i)** Within the Rural Residential zone only one Repurposed dwelling may be approved on a lot.
 - (ii)** The Repurposed dwelling should be carefully sited and constructed so the potential impacts from noise, dust, odour or amenity are minimised.
 - (iii)** For the purposes of establishing whether a grouped dwelling is proposed a Repurposed dwelling will count as one dwelling.
 - (iv)** Regardless of external wall materials, all roofs over the main portion of the Repurposed dwelling are to have a pitch of 10° or greater.'

27. Amending the Scheme by replacing '4.31.1' within Clause 4.30.2 with '4.30.1'

28. Amending the Scheme by replacing '4.31.1' within Clause 4.30.3 with '4.30.1'

29. Amending the Scheme by inserting a new clause 4.36 with the heading 'Shipping Container Requirements':

- (a) In considering an application for a shipping container, the Shire shall

take into account whether the appearance of the structure would be compatible with the character and visual amenity of the locality to which it is proposed to be sited. The Shire may refuse an application for such a structure if, in its opinion, the appearance of the structure would be incompatible with the character and visual amenity of the locality to which it is proposed to be relocated, notwithstanding any other provision of the Scheme.

- (b) No shipping container shall be placed on any lot zoned Residential other than in accordance with clause 61(1)(o).
- (c) Any approval granted for the placement of a shipping container on a lot zoned Rural Residential shall be limited to a specific period of time, such time not exceeding 12 months.
- (d) Notwithstanding subclauses (b) and (c) where a shipping container is clad and has the addition of a pitched roof or is permanently screened from public view it may receive planning approval subject to subclause (a).
- (e) A shipping container shall not be used for any form of accommodation unless a component of an otherwise approved development.
- (f) A shipping container shall be adequately screened from the street and shall not be stacked vertically unless otherwise approved.
- (g) Where a shipping container has fallen into disrepair or become unsightly at the discretion of the local government, they shall be removed from the lot or suitably upgraded.

30. Amending the Scheme by inserting a new clause 4.36 with the heading 'Outbuildings in the Residential and Rural Residential Zones':

- '(a) Erection of an outbuilding on a Residential or Rural Residential zoned lot is not permitted unless development approval has already been issued for the erection of a single house, grouped dwelling or multiple dwelling on the lot.'

31. Amending the Scheme by inserting a new clause 4.24.4 as follows:

'Within the Rural zone Telecommunications Infrastructure is exempt from the setbacks assigned in Schedule 2.'

32. Amending the Scheme by renumbering the second Clause '5.1.1' with Clause '5.1.2'

33. Amending the Scheme by inserting a new clause within Table 12 – Special control areas in the Scheme as follows:

Name of area	Purpose	Objectives	Additional Provisions
SCA5 – Undeveloped Rural Area	The purpose of SCA 10 is to provide guidance for land use and development within the undeveloped rural zoned areas of the Shire.	To provide for mining activity, low key eco-tourism uses, environmental conservation and agricultural land uses.	<p>1. Application Requirements</p> <p>Despite any other provision of the Scheme planning approval is required for all development. Land uses are to be assessed as follows:</p> <p>(a) As P uses</p> <p>Telecommunications infrastructure</p> <p>(b) As D uses</p> <p>Mining Operations Agriculture – Extensive Agriculture – Intensive Animal Husbandry – intensive Holiday House Repurposed dwelling Single House Second-hand dwelling Winery Workforce accommodation</p> <p>(c) As I uses</p> <p>Industry</p> <p>(d) All other uses are to be read as X uses in Table No. 4</p> <p>2. Relevant Considerations</p> <p>In addition to provisions of the Scheme, the local government in considering applications for rezoning, subdivision or planning approval in SCA 5 is to</p>

			<p>have due regard to –</p> <ul style="list-style-type: none"> (a) results of scientific research conducted by Department of Biodiversity Conservation and Attractions or other relevant authority; (b) guidelines of the Environmental Protection Authority for protection of the environment including but not limited to maintenance of water quality; (c) guidelines of the Department of Water and Environmental Regulation for protection of wetlands and waterways including but not limited to maintenance of water quality; and (d) the potential for adverse environmental impacts and the management of such potential impacts. <p>and shall determine applications for planning approval accordingly.</p> <p>3. Development Requirements</p> <ul style="list-style-type: none"> (a) Minimum lot sizes will be as per the Local Planning Strategy. (b) Minimum setbacks to development will be 20m to all boundaries. (c) The disposal of liquid and/or solid wastes
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			<p>shall be carried out with an effluent disposal system approved by the Local Government and the Health Department of Western Australia.</p> <p>(d) A potable water supply shall be provided to the satisfaction of the Local Government and in accordance with Clause 4.29 of the Scheme.</p> <p>(e) Power will be generated on site as there is no external service.</p> <p>4. Referral of Applications</p> <p>(a) Development application that require the clearing of native vegetation will be referred to the Department of Biodiversity Conservation and Attractions and the Department of Water and Environmental Regulation and the Local Government is to have due regard to recommendations and advice received from those authorities when determining applications.</p>
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34. Amending Clause 6.2 by inserting the following definition:

'renewable energy facility' means premises used to generate energy from a renewable energy source and includes any building or other structure used in, or in connection with, the generation of energy by a renewable resource. It does not include solar panels or a wind turbine located on a lot with a single house where the energy produced only supplies that house or private rural use or anemometers.'

35. Amending Clause 6.2 by inserting the following definition:
 ‘winery’ means premises used for the production of viticultural produce and associated sale of the produce;

36. Amending the Scheme by replacing ‘Ni’ within the front setback of Non-residential uses in the Rural Townsite zone Schedule 2 with ‘Nil’.

37. Amending the Scheme by replacing ‘variable’ within the rear setback of Non-residential uses in the Rural Townsite zone Schedule 2 with ‘Nil’.

38. Amending the Scheme by replacing ‘variable’ within the landscaping of Non-residential uses in the Rural Townsite zone Schedule 2 with ‘10’.

39. Amending the Scheme by replacing ‘variable’ within the rear setback of Non-residential uses in the Mixed Use zone Schedule 2 with ‘Nil’.

40. Amending the Scheme by replacing ‘variable’ within the landscaping of Non-residential uses in the Mixed Use zone Schedule 2 with ‘10’.

41. Amending the Scheme by replacing ‘Variable’ within the Plot Ratio of Tourism in Schedule 2 with ‘0.75’.

42. Amending the Scheme by replacing ‘Variable’ within the Rear Setback of Tourism in Schedule 2 with ‘Nil(i)’.

43. Amend the Scheme by inserting a new box for ‘Tourism’ in Schedule 2 as follows:
 ‘(i) Where development adjoin a Residential zone the minimum setback shall be at the discretion of the local government.’

44. Amending the Scheme by deleting the row ‘General Industry’ in Schedule 2.

45. Amending the Scheme by replacing ‘Variable’ within the Plot Ratio of Light Industry in Schedule 2 with ‘0.6’.

46. Amending the Scheme by inserting a new Schedule 5 with the heading ‘Exempted Signage and Advertising’ as follows:

Land use and/or development	Exempted Signs	Maximum Size
Dwellings	One professional name-plate as appropriate	0.2m ²
Home Occupation	One advertisement describing the nature of the home occupation.	0.2m ²

Places of Worship, Meeting Halls and Places of Public Assembly	One advertisement detailing the function and/or the activities of the institution concerned.	2.0m ²
Shops, Showrooms and other uses appropriate to a Shopping Area	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building	Not Applicable
Industrial and Warehouse Premises	A maximum of four advertisements applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building, and excluding signs projecting from a building and excluding signs which are connected to a pole, wall, or other building.	Total area of such advertisements is not to exceed 15m ² or 20% of the elevation of the building whichever is the lesser.
	A maximum of two freestanding advertisement signs not exceeding 5 metres in height above ground level.	Maximum permissible total area is not to exceed 10m ² and individual advertisement signs are not to exceed 6m ² .
Showroom, racecourses, major racing tracks, sports stadia, major sporting grounds and complexes	All signs provided that, in each case, the advertisement is not designed to be visible from outside the complex or facility concerned either from adjacent private land or from public places and streets.	Not Applicable
Public Places and Reserves	Signs (illuminated and non-illuminated) relating to the functions of Government, a responsible authority or the local government including those of a promotional nature constructed or exhibited by, or on behalf of any such body, and	Not Applicable
	Signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such signs have been constructed or exhibited by or at the direction of Government, a responsible authority or the local government, and	Not Applicable
	Signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a statute	Not Applicable

	provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.	
Advertisements within Buildings	All advertisements placed or displayed within buildings, which cannot ordinarily be seen by a person outside of those buildings.	Not Applicable
All classes of buildings other than single family dwelling	One advertising sign containing the name, number and address of the building, the purpose for which the building is used or the name and address if the managing agent thereof.	0.2m ²
Temporary Signs		
Temporary Signs	Exempted Signs	Maximum Size
Building Construction Sites (signs displayed only for the duration of the construction) as follows:		
Dwellings	One sign per street frontage containing details of the project and the contractors undertaking the construction work.	2m ²
Multiple dwellings, shops, commercial and industrial properties	One sign as for (a) above which may also include site security information.	5m ²
Property transactions – Advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated as follows:		
Dwellings	One sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed.	Each sign is not to exceed an area of 2m ²
All other properties	One sign as for (b) above.	Each sign is not to exceed an area of 4m ²

- a. any sign which is the subject of an existing approval made prior to the date of effect of this Policy;
- b. any advertisement affixed to or painted on a shop window by the occupier of the shop and relating to the business carried on in the shop;
- c. any sign within a building;
- d. any building name sign on residential flats or home units which has a single line of letters not exceeding 300mm in height, fixed to the facade of the building;
- e. any newspaper poster;
- f. 1 freestanding sign (per building or business). The sign is to be placed or erected only to direct attention to a place, activity or event during the hours of that activity or event.
- g. One (1) 'rural producer sign' displaying the name, street number and owners of the farm that does not exceed 4m² in area.

- h. All electoral signs erected up to four weeks before an election or referendum.
- i. by the local government to advertise events or provide information of community interest.'

47. Amending the Scheme Map by showing all 'General Industry' zoned land as 'Light Industry' as depicted on the Amendment Map.

48. Amending the Scheme Map by showing SCA5 as depicted on the Amendment Map.

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*.

10.2.3 REVIEW POLICY MANUAL – LPS 6

File Ref:	N/A
Applicant:	Internal
Location:	Shire of Ravensthorpe
Date:	7 August 2017
Author:	Richard Hindley
Authorising Officer:	Richard Hindley
Attachments:	Policy Manual – LPS 6 (V2)

Summary:

For Council to consider proceeding with a number of Local Planning Policies as a result the Gazettal of Local Planning Scheme No. 6, and the associated impact of the Planning and Development (Local Planning Schemes) Regulations 2015.

Background:

With the gazettal of Local Planning Scheme No. 6 on the 11 July 2017 it is now appropriate to commence a review of the Local Planning Policies to ensure that they are fit for purpose.

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. These policies will require public advertisement before being brought back to Council for consideration in the light of any submissions.

Sportsfields Advertising Signs

The modifications to this policy are relatively minor and relate to the updating of the policy to be consistent with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Advertising Signs

The modifications to this policy relate 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.

Directional Signs

The only change within this policy is updating the zone names to reflect the new zones within Local Planning Scheme No. 6. It is also proposed to adopt this policy as a Council Policy rather than a Local Planning Policy as directional signage is not dealt with under Local Planning Scheme No. 6.

Outbuildings

The modifications to this policy relate 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 relate to the reduced impact of large outbuildings on large lots.

Housing

The modifications to this policy relate 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.

Second-hand Dwellings

The modifications to this policy are relatively minor and relate 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.

Sea Containers

The modifications to this policy relate 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 has been 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.

Extractive Industry

The changes to this policy are relatively minor and relate 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 were made to agency names as a result of the recent amendment to State level government departments.

Fire Management Plans

It is proposed that this policy be revoked as it is effectively covered under Statement of Planning Policy 3.7 – Planning in Bush Fire Prone Areas which covered by the Development is Bushfire Prone Areas policy.

Public Open Space – 3-5 Lot Subdivision

The only modification to this policy is updating the Scheme reference.

Alfresco Dining & Trading in Public Places

The only modification to this policy is updating the Scheme reference.

Use of Rights of Way

There are no changes proposed to this Policy. It is also proposed to adopt this policy as a Council Policy rather than a Local Planning Policy as directional signage is not dealt with under Local Planning Scheme No. 6.

Farm Forestry

This policy was updated to reflect the new definitions under Local Planning Scheme No. 6. References to external documents have also been updated to reflect the current arrangements.

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.

Further changes were made to agency names as a result of the recent amendment to State level government departments.

Holiday Homes

This policy was updated to reflect the new definitions under Local Planning Scheme No. 6. The definition of owner was also expanded for grouped and multiple dwelling to include strata owners or the body corporate.

Development in Bushfire Prone Areas

There are no changes proposed to this Policy.

Assessment

The following table summarised what section of the Regulations the proposed policy amendment falls under including a summation of the action involved.

Policy	Section of Regulations	Action
<ul style="list-style-type: none"> • Advertising Signs • Outbuildings • Housing • Sea Containers • Industrial Design Guidelines 	Clause 4 of the Deemed Provisions	<ul style="list-style-type: none"> • Advertise for comment for not less than 21 days. • Council review in light of any submissions. • Policy applies from advert advising of adoption.
<ul style="list-style-type: none"> • Sportsfields Advertising Signs • Second-hand Dwellings • Extractive Industry • Public Open Space – 3-5 Lot Subdivision • Alfresco Dining & Trading in Public Places • Farm Forestry • Holiday Homes 	Clause 4 and 5 (2) of the Deemed Provisions	<ul style="list-style-type: none"> • Policy applies from advert advising of adoption.
<ul style="list-style-type: none"> • Fire Management Plans 	Clause 6(b) of the Deemed Provisions	<ul style="list-style-type: none"> • Policy revoked from advert advising of revocation of policy.
<ul style="list-style-type: none"> • Directional Signs • Use of Rights of Way 	Local Government Act 1995	<ul style="list-style-type: none"> • Policy applies from Council Resolution

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 commences the review process with a number of polices requiring public advertising.

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.

Where the policies are only the subject of a minor amendment they need not be advertised in accordance with Clause 5(2) of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule).

Where a policy is revoked notification occurs by the publication of a notice of revocation in a newspaper circulating in the Scheme area.

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
Local Government Act 1995

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 10.2.3

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

10.3 MANAGER OF ENGINEERING SERVICES

10.3.1 PLANT PURCHASES – MOTOR GRADER

File Ref:

Applicant: Not applicable

Location: Not applicable

Disclosure of Officer Interest: None

Date: 13th September 2017

Author: Darryn Watkins – Manager Engineering Services

Authorising Officer: Ian Fitzgerald – Chief Executive Officer

Attachments: None

Summary:

Council to approve the purchase of a new motor grader.

Background:

The shire currently owns three motor graders, two of which are utilised as maintenance graders and one motor grader carrying out road construction activities. This machine to be replaced in this year's budget is the road construction grader that being a 2010 John Deere 670 GP machine which currently has 8750 service machine unit hours showing.

Comment:

The John Deere 670GP motor grader is now due for replacement in accordance with Council Policy A16.

A request for tender was published via WALGA E Quotes on 28th August 2017.

After consultation with the Chief Executive Officer it was decided not to offer the current motor grader as a trade on this particular purchase. The existing machine will be utilised over the coming financial year maintaining roads during the harvest period and assisting with gravel re-sheeting activities. The machine will be offered for sale by public auction prior to June 30 2017.

The tenders received are as follows:

Supplier	Machine	Warranty	Nett Changeover Price
Komatsu	GD655-5	5yr/6000hrs	\$316,000 excluding GST
Westrac	CAT 12M	1yr/unlimited hrs	\$321,200 excluding GST
Hitachi	JD 670GP	1yr/2000 hrs	\$325,100 excluding GST (Non-compliant tender)

McIntosh & Son CASE 865B 3yr/5000hrs \$267,420 excluding GST

Komatsu Australia Pty Ltd also included in their submission 3years / 2000 hours free servicing inclusive of parts, labour and travel.

The submission by McIntosh & Son for the supply of a CASE 865B Motor Grader was by far the lowest cost, however the machine is new to the market segment and very much of unknown quality. The officer would recommend consideration of the purchase of this brand in a few years' time once the machines have proven their performance in the civil market segment.

Consultation:

Chief Executive Officer
Works Supervisor

Statutory Obligations:

As part of compliance with the Local Government Act 1995 (WA) the Western Australian Local Government association (WALGA) have provided a procurement procedures such as E-Quotes and a procurement handbook for the purchase of goods and services without the need for long and costly public tenders. Komatsu Australia Pty Ltd is a WALGA approved supplier under contract C023_11.

Policy Implications:

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

Budget / Financial Implications:

The amount of \$330,000 has been allocated in the 2017/2018 Statutory Budget for the purchase of this item of plant.

Strategic Implications:

The plant purchase is in accordance with the 2017/2018 Plant Replacement Program.

Sustainability Implications:

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

Voting Requirements:

Simple Majority

OFFICER RECOMMENDATION

ITEM 10.3.1

That budgeted expenditure of \$316,000 excluding GST for the purchase of a new Komatsu GD655-5 motor grader from Komatsu Australia Pty Ltd be approved.

10.4 CHIEF EXECUTIVE OFFICER

10.4.1 CHIEF EXECUTIVE OFFICER – KEY PERFORMANCE CRITERIA

File Ref:

Applicant:	Not Applicable
Location:	Not Applicable
Disclosure of Officer Interest:	None
Date:	12 September 2017
Author:	Ian Fitzgerald – Chief Executive Officer
Authorising Officer:	Gary Martin - Consultant
Attachments:	None

Summary:

Following the annual performance review of the Chief Executive Officer, it was resolved that key performance indicators for 2017/2018 would be developed in conjunction with the consultant who assisted with the review.

Background:

The 2017 annual review was conducted by Council with the assistance of consultant Gary Martin.

Comment:

A satisfactory performance review was completed in July 2017 and a report presented to Council by Mr Martin. Mr Martin subsequently prepared a report on the process and this was circulated to all Councillors.

As a part of Mr Martin's report, he highlighted that the key performance indicators set for 2016/2017 were more priority projects and referred Council to the criteria set out in the employment contract.

There can be factors outside the Chief Executive Officer's control that can influence achieving priority projects, but strong governance and compliance should be achieved each year.

The contract of employment lists the following Key Result Areas/Key Performance Indicators:

- Leadership
- Councillor Relations
- External Relations – customers and stakeholders
- Organisation Management
- Planning
- Financial Management

Working with Mr Martin, 5 priority projects were developed for 2017/2018:

- Flood Damage Repairs
- Review Standing Orders
- Promote Tourism
- Finalise review of Asset Management Plan
- Commence review of Long Term Financial Plan

This report recommend adoption of the above for 2017/2018.

Consultation:

Mr Martin – Local Government Consultant

Statutory Obligations:

Local Government Act 1995
Contract of Employment with Chief Executive Officer

Policy Implications:

N/A

Budget / Financial Implications:

N/A

Strategic Implications:

Strategic Community Plan – Theme 4

4.2 Corporate Governance and Accountability – High quality corporate governance, accountability and compliance.

4.3 Responsible and Responsive Leadership – Quality effective and responsive representation

Sustainability Implications:

- **Environmental:**

There are no known significant environmental considerations.

- **Economic:**

There are no known significant economic considerations.

- **Social:**

There are no known significant social considerations.

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION**ITEM 10.4.1**

That Council adopt the following Key Performance Indicators for the Chief Executive Officer:

1. As per contract of employment:
 - Leadership
 - Councillor Relations
 - External Relations – including customers and stakeholders
 - Organisation Management
 - Planning
 - Financial Management

2. Priority Projects:
 - Flood Damage Repairs
 - Review Standing Orders
 - Promote Tourism
 - Finalise review of Asset Management Plan
 - Commence review of Long Term Financial Plan

10.4.2 2016/2017 INTERIM/PLANNING AUDIT REPORT**File Ref:**

Applicant:	Not Applicable
Location:	Not Applicable
Disclosure of Officer Interest:	None
Date:	11 September 2017
Author:	Ian Fitzgerald – Chief Executive Officer
Authorising Officer:	Not Applicable
Attachments:	Audit Letter

Summary:

As a part of the annual independent audit, there are 2 separate processes: An interim or planning audit and a financial audit once the financial statements for the year are finalised. Council's auditors, Lincolns, completed the planning audit in July and a copy of their report is presented to Council for information.

Background:

The interim/planning audit is usually conducted in May-June, but for 2016/2017 financial year, was conducted in early July 2017.

Comment:

As outlined in the report attached to this item, the planning audit concentrates on testing procedures and processes to ensure appropriate systems are in place.

The second audit will check and verify the figures that make up the annual financial report, which is presented to Council, the community and the Department as a part of the 2016/2017 Annual Report.

The auditors have not noted any area of poor processes or non-compliance.

Consultation:

N/A

Statutory Obligations:

Local Government Act 1995
Local Government Audit Regulations 1996

Policy Implications:

N/A

Budget / Financial Implications:

N/A

Strategic Implications:

Strategic Community plan – Theme 4

4.2 Corporate Governance and Accountability – high quality corporate governance, accountability and compliance

Sustainability Implications:

- **Environmental:**

There are no known significant environmental considerations.

- **Economic:**

There are no known significant economic considerations.

- **Social:**

There are no known significant social considerations.

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION	ITEM 10.4.2
That Council receive the report from auditors, Lincolns, on the 2016/2017 Planning Audit conducted in July 2017.	

10.4.3 COUNCIL MEETING DATES - 2018
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File Ref:**Applicant:****Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 13th September, 2017**Author:** Ian Fitzgerald – Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:** Not applicable**Summary:**

Council is required to determine meeting dates for 2018.

Background:

In accordance with the Local Government Act 1995, Council is required to advertise Council meeting dates at least once per annum.

Comment:

A recommended 2018 schedule of Agenda Setting Forums and Council meetings is as follows:

DATE	VENUE	START TIME
January 2018	No meetings scheduled	
<i>12 February 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
15 February 2018	Ravensthorpe Council Chambers	5 pm
<i>12 March 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
15 March 2018	Hopetoun Community Centre	5 pm
<i>16 April 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
19 April 2018	Ravensthorpe Council Chambers	5 pm
<i>14 May 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
17 May 2018	Hopetoun Community Centre	5 pm
<i>18 June 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
21 June 2018	Ravensthorpe Council Chambers	5 pm

<i>16 July 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
19 July 2018	Hopetoun Community Centre	5 pm
<i>13 August 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
16 August 2018	Ravensthorpe Council Chambers	5 pm
<i>17 September 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
20 September 2018	Munglinup Recreation Centre	5 pm
<i>15 October 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
18 October 2018	Ravensthorpe Council Chambers	5 pm
<i>12 November 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
15 November 2018	Hopetoun Community Centre	5 pm
<i>17 December 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
20 December 2018	Ravensthorpe Council Chambers	5 pm

*Please note the Chief Executive Officer will be on annual leave from 16th August to 12th September 2018 and will be an apology for the August Council meeting.

All Monday Council Forums are held in Ravensthorpe Council Chambers.

Consultation:

Meeting dates will be advertised in the Community Spirit, Community Resource Centres, Council notice board and the Esperance Express.

Statutory Obligations:

The Local Government Act 1995, Local Government (Administration Regulations, require that the meetings for the year be advertised for public information).

Policy Implications:

Nil

Budget / Financial Implications:

Nil

Strategic Implications:

Nil

Sustainability Implications:

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

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION		ITEM 10.4.3
That the dates for Council Meetings in 2018 be set as:		
DATE	VENUE	START TIME
January 2018	No meetings scheduled	
<i>12 February 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
15 February 2018	Ravensthorpe Council Chambers	5 pm
<i>12 March 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
15 March 2018	Hopetoun Community Centre	5 pm
<i>16 April 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
19 April 2018	Ravensthorpe Council Chambers	5 pm
<i>14 May 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
17 May 2018	Hopetoun Community Centre	5 pm
<i>18 June 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
21 June 2018	Ravensthorpe Council Chambers	5 pm
<i>16 July 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
19 July 2018	Hopetoun Community Centre	5 pm
<i>13 August 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
16 August 2018	Ravensthorpe Council Chambers	5 pm
<i>17 September 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
20 September 2018	Munglinup Recreation Centre	5 pm
<i>15 October 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
18 October 2018	Ravensthorpe Council Chambers	5 pm
<i>12 November 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
15 November 2018	Hopetoun Community Centre	5 pm
<i>17 December 2018</i>	<i>Ravensthorpe Council Chambers</i>	<i>1 pm</i>
20 December 2018	Ravensthorpe Council Chambers	5 pm

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