

MINUTES

For the Council Meeting held on

Thursday 21 March, 2019

Commencing at 5 pm.

In the Munglinup Community Centre, Munglinup.



SHIRE OF RAVENSTHORPE

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A handwritten signature in black ink, appearing to read "Gavin Pollock", is written over a horizontal line.

Gavin Pollock
Chief Executive Officer

22/3/2019

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

Gavin Pollock

Chief Executive Officer

ORDINARY MEETING OF COUNCIL

HELD IN THE MUNGLINUP COMMUNITY CENTRE, MUNGLINUP

ON 21 MARCH 2019, COMMENCING AT 5PM

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**2. ATTENDANCE / APOLOGIES/ APPROVED LEAVE OF ABSENCE**

MEMBERS: Cr Keith Dunlop (Shire President)
Cr Julianne Belli (Deputy Shire President)
Cr Ian Goldfinch
Cr Thomas Major
Cr Graham Richardson

STAFF: Gavin Pollock (Chief Executive Officer)
Vacant (Manager of Corporate and Community Services)
Helen Coleman (Personal Assistant)

APOLOGIES:
Cr Kerry Dickinson
Graham Steel (Manager Engineering Services)

ON LEAVE OF ABSENCE:

Cr Peter Smith

VISITORS: Mr Michael Buckingham
Mrs Di Buckingham
Mr Gavin Gibson

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**4. PUBLIC QUESTION TIME – general community discussion until 5.15pm****5. APPLICATIONS FOR, AND PREVIOUSLY APPROVED, LEAVE OF ABSENCE AND DISCLOSURES OF INTEREST**

| | |
|--|--------------------|
| COUNCIL DECISION | ITEM 5.1 |
| Moved: Cr Belli | Seconded: Cr Major |
| Cr K Dunlop be granted leave from 31 March 2019 to 7 April 2019 inclusive. | |
| Carried: 5/0 | Res: 18/19 |

6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

7. CONFIRMATION OF MINUTES**7.1 COUNCIL MEETING – 21 FEBRUARY, 2019**

| | |
|--|-------------------------|
| COUNCIL RESOLUTION | ITEM 7.1 |
| Moved: Cr Goldfinch | Seconded: Cr Richardson |
| That the minutes of the meeting of council held on 21 February, 2019 be confirmed as a true and correct record of proceedings. | |
| Carried: 5/0 | Res: 19/19 |

8. SUSPENSION OF STANDING ORDERS

Nil

9. ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS

Nil

10. REPORTS OF OFFICERS**10.1 MANAGER OF CORPORATE AND COMMUNITY SERVICES****10.1.1 SCHEDULE OF ACCOUNT PAYMENTS – FEBRUARY 2019**

| | |
|--|---|
| File Ref: | Not applicable |
| Applicant: | Not applicable |
| Location: | Not applicable |
| Disclosure of Officer Interest: | None |
| Date: | 12 March 2019 |
| Author: | Wendy Spaans – Admin/Creditors Officer |
| Authorising Officer: | Gavin Pollock – CEO |
| Attachments: | 10.1.1.1 Schedule of Payments to 28 February 2019 10.1.1.2 Credit Card Transactions to 31 January 2019 |

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:

Period 1/7/2018 – 28/2/2019

| 2018/19 | | | | | | | |
|--------------|----------------|-------------------|----------------|---------------|----------------|-------------------|------------------|
| Month | Cheques | EFT Pymts | Direct Debits | Credit Card | Trust | Total Creditors | Payroll |
| Jul | 1,367 | 2,442,344 | 90,290 | 12,115 | 950 | | 174,327 |
| Aug | 37,082 | 2,032,888 | 225,672 | 5,618 | 688 | 2,301,948 | 212,428 |
| Sep | 10,479 | 887,060 | 53,711 | 5,559 | 2,617 | 959,426 | 173,926 |
| Oct | 10,076 | 1,922,570 | 115,844 | 8,636 | 2,049 | 2,059,175 | 123,007 |
| Nov | 13,107 | 1,535,900 | 83,928 | 6,003 | 1,815 | 1,640,752 | 161,814 |
| Dec | 4,095 | 1,420,883 | 97,019 | | 833 | 1,522,831 | 238,074 |
| Jan | 11,899 | 493,318 | 48,486 | 4,145 | 580 | 558,427 | 171,237 |
| Feb | 9,940 | 886,889 | 211,726 | 2,817 | 540 | 1,111,912 | 184,652 |
| Mar | | | | | | 0 | |
| Apr | | | | | | 0 | |
| May | | | | | | 0 | |
| Jun | | | | | | 0 | |
| Total | 98,046 | 11,621,850 | 926,677 | 44,892 | 10,072 | 12,701,537 | 1,439,465 |
| 17/18 | 327,905 | 18,507,404 | 209,587 | 65,010 | 317,445 | 19,427,351 | 2,601,283 |

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:

Regulation 13 (1) – (3) of the ***Local Government (Financial Management) Regulations 1996***

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

| | |
|--|------------------------|
| COUNCIL RESOLUTION | ITEM 10.1.1 |
| Moved: Cr Belli | Seconded: Cr Goldfinch |
| That pursuant to Regulation 13 of the <i>Local Government (Financial Management) Regulations 1996</i> , the payment of accounts for the month of February 2019 be noted. | |
| Carried: 5/0 | Res: 20/19 |

10.1.2 MONTHLY FINANCIAL REPORT –28 FEBRUARY 2019

| | |
|--|--|
| File Ref: | |
| Applicant: | Internal |
| Location: | Not applicable |
| Disclosure of Officer Interest: | None |
| Date: | 12 February 2019 |
| Author: | Eimear Guidera – finance officer |
| Authorising Officer: | Gavin Pollock – CEO |
| Attachments: | 10.1.2.1 – Monthly Financial Reports for February 2019 |

Summary:

In accordance with the *Local Government Financial Management Regulations (1996)*, Regulation 34, a local government is to prepare a monthly Statement of Financial Activity for approval by Council.

Background:

Council is requested to review the February 2019 Monthly Financial Reports.

Comment:

The February 2019 Monthly Financial Report is presented for review.

Consultation:

Chief Executive Officer

Statutory Obligations:

Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996 apply

Policy Implications:

Nil

Budget / Financial Implications:

All expenditure has been approved via adoption of the 2018/19 Annual Budget, or resulting from a Council Motion for a budget amendment.

Strategic Implications:Strategic Community Plan 2014 – 2024

Theme 4 – Civic Leadership: 4.2 High quality corporate governance, accountability & compliance.

Risk

| Risk | Risk Likelihood (based on history and with existing controls) | Risk Impact / Consequence | Risk Rating (Prior to Treatment or Control) | Principal Risk | Risk Action Plan (Controls or Treatment proposed) |
|----------------------------------|---|---------------------------|---|--|---|
| Not meeting Statutory Compliance | Rare (1) | Moderate (3) | Low (1-4) | Failure to meet Statutory, Regulatory or Compliance Requirements | Accept Officer Recommendation |

Sustainability Implications:

- **Environmental**
Not applicable to this specific recurring report
- **Economic**
Not applicable to this specific recurring report
- **Social**
Not applicable to this specific recurring report.

Voting Requirements:

Simple majority

COUNCIL RESOLUTION

ITEM 10.1.2

Moved: Cr Richardson

Seconded: Cr Major

That Council receive February 2019 Monthly Financial Report as presented.

Carried: 5/0

Res: 21/19

10.2 MANAGER OF PLANNING AND DEVELOPMENT

10.2.1 LOCAL PLANNING SCHEME (LPS) 6 AMENDMENT 3

File Ref:

| | |
|-----------------------------|----------------------------------|
| Applicant: | Internal |
| Location: | Shire of Ravensthorpe |
| Date: | 26 February 2019 |
| Author: | Richard Hindley |
| Authorising Officer: | Richard Hindley |
| Attachments: | Attachment A Amendment No.3 |

Summary:

For Council to consider initiating Amendment No. 3 to Local Planning Scheme No. 6 to amend the Scheme by amending existing provisions, incorporating new clauses and amending the Scheme Map.

Background:

Notice of Final Approval of the Shire of Ravensthorpe Local Planning Scheme No. 6 ('the Scheme') was published in the Government Gazette on 11 July 2017.

This amendment seeks to amend the Scheme by replacing the 'Rural Townsite' zone with the 'Commercial' zone whilst applying the revised 'Rural Townsite' zone within the rural town sites of the Shire.

This amendment seeks to identify reserved land and ensure that appropriate reserve controls are placed taking into account reserve purpose and use.

A new Special Control Area replacing the current Special Control Area No. 1 is proposed which represents best practice for the implementation of State Planning Policy 2.7 – Public Drinking Water Source Policy and is consistent with the Department of Water and Environmental Regulation's Water Quality Protection Note 25 - Land Use compatibility in Public Drinking Water Source Areas.

This amendment seeks reformat the Scheme to be consistent with the format of the Model Scheme Text as contained in Schedule 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Extensive reformatting and numbering is also proposed to be undertaken to improve the legibility and correct numbering anomalies throughout the Scheme.

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:

- Inserting new reserve classifications and associated provisions and map modifications;
- Inserting the 'Commercial' zone and associated provisions;
- Revising the 'Rural Townsite' zone and associated provisions;
- Inserting 'Outbuilding' as a land use within Clause 3.2 and associated provisions;
- Amending the Scheme to delete duplications with the matters to be considered in the Deemed Provisions;
- Amending the Scheme by modifying the tourism development provisions;
- Amending the vegetation provisions to reduce overlap and add new provisions relation to Proteaceae Dominated Kwongkan Shrubland.
- Inserting provisions for parking separated from development and new clauses for cash in lieu of parking spaces;
- Amending the Scheme by replacing the current 'SCA1 – Infrastructure (Water Supply Protection Area)' within Table 12 and introduces a new SCA1 as a clause within Schedule 2 and convert the remaining Special Control Areas;
- Amending the Scheme by moving Clause 4.12 onwards to a new schedule before Schedule 1 titled 'Schedule 1 - Additional Site and Development Requirements';
- Reformatting the Scheme to reflect changes to the Schedules;
- Amending the Scheme by correcting omissions; and
- Updating numbering throughout the Scheme where required.

The proposed provisions are consistent with the Local Planning Strategy.

Proposal

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

Amend the Scheme by reformatting Clause 2.2.3 a) – m) into a table

It is proposed to reformat Clause 2.2.3 so that the reserve objectives appear in a table consistent with the format in the related Clause in Schedule 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Amend the Scheme by inserting 'Civic and Community' in the reformatted Clause 2.2.3

With the amendment of the Scheme Map to include the 'Civic and Community' it is considered appropriate to insert the reserve objectives as stipulated in Schedule 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Amend the Scheme by inserting 'Emergency Services' in the reformatted Clause 2.2.3

The 'Emergency Services' reserve is currently shown on the Scheme Map and as such it is considered appropriate to insert the reserve objectives as stipulated in Schedule 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Amend the Scheme by inserting 'Car Park' in the reformatted Clause 2.2.3

With the amendment of the Scheme Map to include the 'Car Park' it is considered appropriate to insert the reserve objectives as stipulated in Schedule 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Amend the Scheme by inserting 'Drainage / Waterway' in the reformatted Clause 2.2.3
With the amendment of the Scheme Map to include the 'Drainage / Waterway' it is considered appropriate to insert the reserve objectives as stipulated in Schedule 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Amend the Scheme by inserting a new Additional Use for a Reserve into the table under Clause 2.3

Reserve 46890 has been developed as a 'Men in Sheds' facility. With the proposed change in classification under Amendment Point 2.35 it is appropriate to recognise the use by including an additional use on a reserve under Clause 2.3 of the Scheme.

Amend the Scheme Map by applying 'AR2' to Reserve 46890

This modification relates to the placement of the new entry into Clause 2.3 on the Scheme Map as outlined in Amendment point 2.6.

Amend the Scheme by inserting a new Additional Use for a Reserve into the table under Clause 2.3

A portion of Reserve 7369 has been developed with a 'Child Care Premise'. As this reserve is classified as 'Public Open Space' on the Scheme Map it is appropriate to insert the use as an additional use on a reserve under Clause 2.3 of the Scheme.

Amend the Scheme Map by applying 'AR3' to a portion of Reserve 7369

This modification relates to the placement of the new entry into Clause 2.3 on the Scheme Map as outlined in Amendment point 2.8.

Amend the Scheme by deleting clauses 3.1.2 a) ii. – iv.

It is proposed to remove the Rural Townsite zone from being a de facto commercial zone in the Scheme Area and as such the objective is proposed to revert back to that contained within Schedule 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Amend the Scheme by inserting a new clause after clause 3.1.2 c) inserting the objective for the Commercial zone

It is proposed to zone all land that was subject to the 'Rural Townsite' zone 'Commercial'. The removed clauses as referenced in section 2.1 form this definition. It should also be noted that the proposed definition is as contained within Schedule 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

As part of the introduction of this clause each subclause after the insertion will be renumbered.

Amend the Scheme by deleting the zone 'Special Use from the 'Zoning Table'

The Special Use zone has permissibilities specified in Schedule 1 of the Scheme. The inclusion of a blank column within the zoning table is superfluous as Clause 3.2 of the Scheme provides the link to the aforementioned schedule.

Amend the Scheme by inserting 'Commercial' as a Zone with the permissibilities currently assigned for the 'Rural Townsite' zone

It is proposed to insert the 'Commercial' zone as referenced in Section 2.2. This zone is to replace the current 'Rural Townsite' zone and as such the permissibilities in this zone are taken directly from the current permissibilities of the 'Rural Townsite' zone.

Amend the Scheme by amending the permissibility's for 'Rural Townsite' zone

The 'Rural Townsite' zone is effectively a new zone within the Scheme area and such the permissibilities need to be amended to reflect the land to which the zone is to apply.

The proposed range of uses and permissibilities is considered appropriate for the land in question.

Amend the Scheme by inserting the land use of 'Outbuilding' into the Zoning Table
'Outbuilding' is defined under the Scheme (Cl 6(2)(b)) as having the same meaning as it has in the R-Codes:

'Outbuilding' – An enclosed non-habitable structure that is detached from any dwelling.

This means that although detached from a dwelling an 'Outbuilding' should be on the same lot as the dwelling.

It is proposed to add 'outbuilding' as a land use in the zoning table with an 'I' permissibility in the 'Residential' 'Rural Townsite' and 'Rural Residential' zones. A P use is proposed for the 'Rural' and 'Rural Smallholdings' zones.

In addition to this it is proposed to introduce a relaxation through Scheme provision so that an outbuilding can be approved before a dwelling is constructed subject to there being approval issued for the development of a dwelling on a lot.

Amend the Scheme by amending the permissibility of 'Telecommunications Infrastructure' from 'A' to 'D' in the 'General Industry' zone in Clause 3.2

This modification is proposed to increase compliance with State Planning Policy 5.2 by showing 'Telecommunications Infrastructure' as a 'D' use in the 'General Industry' zone.

Amend the Scheme by amending the permissibility of 'Workforce Accommodation' within the 'Residential' zone to 'X' and within the 'Light Industry' zone to 'D' in Clause 3.2

This modification proposes to amend the permissibility of 'Workforce Accommodation' within the 'Residential' and 'Light Industry' zones.

'Workforce Accommodation' is currently an 'A' use in the 'Residential' zone. Given the potential impact of this form a development on residential amenity it is considered inappropriate to allow this use in the 'Residential' zone. It should also be noted that prevailing residential densities within the Shire would severely limit the commercial viability of the use within this zone.

'Workforce Accommodation' is currently a 'X' use in the 'Light Industry' zone. Given the land demands as well as the potential impact of this form a development on residential amenity it is considered an appropriate land use for the 'Light Industry' zone.

Amend the Scheme by amending the permissibility of 'Exhibition Centre' within the 'Residential' zone to 'X' in Clause 3.2.

This modification proposes to amend the permissibility of 'Exhibition Centre' within the 'Residential' zone.

'Exhibition Centre' is currently an 'A' use in the 'Residential' zone. Given the potential impact of this form a development on residential amenity it is considered inappropriate to allow this use in the 'Residential' zone.

Amend the Scheme by amending the permissibility of 'Reception Centre' within the 'Residential' zone to 'X' in Clause 3.2.

This modification proposes to amend the permissibility of 'Reception Centre' within the 'Residential' zone.

'Reception Centre' is currently an 'A' use in the 'Residential' zone. Given the potential impact of this form a development on residential amenity it is considered inappropriate to allow this use in the 'Residential' zone.

Amend the Scheme by amending the permissibility of 'Recreation - Private' within the 'Residential' zone to 'X' in Clause 3.2.

This modification proposes to amend the permissibility of 'Recreation – Private' within the 'Residential' zone.

'Recreation – Private' is currently an 'A' use in the 'Residential' zone. Given the potential impact of this form a development on residential amenity it is considered inappropriate to allow this use in the 'Residential' zone.

Amend the Scheme by amending the permissibility of 'Single House' within the 'Rural Residential' and 'Rural Smallholdings' zones to 'D' in Clause 3.2.

This modification is proposed to reflect that all 'Single House' development in the 'Rural Residential' and 'Rural Smallholdings' zones have specific development standards and requirements for building envelopes which generally result in the need for development approval to be sought and as such the proposed change will remove the exemption that is applied under Schedule A Clause 61 within these zones.

Amend the Scheme by amending the permissibility of 'Veterinary Centre' within the 'Residential' zone to 'X' in Clause 3.2.

This modification proposes to amend the permissibility of 'Veterinary Centre' within the 'Residential' zone.

'Veterinary Centre' is currently an 'A' use in the 'Residential' zone. Given the potential impact of this form a development on residential amenity it is considered inappropriate to allow this use in the 'Residential' zone.

Amend the Scheme by deleting the column labelled 'Special Use' within the table in Clause 3.2.

This modification proposes to remove the 'Special Use' column from the table as Special Uses are dealt with under Clause 3.6 of the Scheme and are not shown in the zoning table.

Amend the Scheme by replacing clause 4.39

With the introduction of 'Outbuilding' as a land use as outlined in Section 2.6 of this amendment a revised clause is require to enable the current dispensation to be continued. In this instance the ability to approve on a Residential, Rural Townsite or Rural Residential zoned lot where development approval has already been issued for the erection of a single house, grouped dwelling or multiple dwelling on the lot. This will only apply in those zones that the use is an 'I'.

Two additional clauses are proposed to provide a head of power on the Scheme to apply conditions on commercial or industrial purposes as well as the human habitation of an outbuilding;

Amend the Scheme Map to show all areas currently zoned 'Rural Townsite' as being zoned 'Commercial'.

This modification changes all land zoned 'Rural Townsite' to 'Commercial' with the exception of a portion of Melia Way, a Right of Way of Manjart Street, the portion of road currently zoned 'Rural Townsite' between Veal Street and Barnett Street and North of Clarke Street Hopetoun. Portion of Reserve 7661, Reserve 7712, Reserve 7713, Lot 4 on Plan 223075, Right of Way between Lots 15 and 16 on Plan 223075, Right of Way between Lot 25 on Plan 223075 and Reserve 7712. This is proposed as the current uses permitted in the 'Rural Townsite' zone

are now applied to the 'Commercial' zone as outlined in Section 2.4 of this Amendment Document.

Amend the Scheme Map by reclassifying Alan Rose Drive, Hopetoun from 'Public Open Space' to 'Local Road'

This modification proposes to reclassify Alan Rose Drive, Hopetoun from 'Public Open Space' to 'Local Road' consistent with the purpose of the land.

Amend the Scheme Map by reclassifying the portion of Reserve 49744 currently reserved as 'Local Road' to 'Public Open Space'

This modification proposes to reclassify the portion of Reserve 49744 that is currently reserve for 'Local Road' to 'Public Open Space' reflecting the reservation of the remainder of the Reserve.

Amend the Scheme Map by reclassifying the portion of road currently zoned 'Residential' and 'Rural Townsite' between Veal Street and Barnett Street and North of Clarke Street Hopetoun to 'Local Road'

This modification proposes to reclassify the portion of road currently zoned 'Residential' and 'Rural Townsite' between Veal Street and Barnett Street and North of Clarke Street Hopetoun to 'Local Road'.

Amend the Scheme Map by reclassifying Reserve 7661 from 'Residential', 'Rural Townsite' and 'Local Road' to 'Civic and Community'

This modification proposes to reclassify Reserve 7661 from 'Residential', 'Rural Townsite' and 'Local Road' to 'Civic and Community' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 50715 from 'Mixed Use' to 'Car Park'

The modification proposes to reclassify Reserve 50715 from 'Mixed Use' to 'Car Park' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 36006 from 'Mixed Use' to 'Public Purposes'

The modification proposes to reclassify Reserve 36006 from 'Mixed Use' to 'Public Purposes' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 34497 from 'Residential' to 'Civic and Community'

The modification proposes to reclassify Reserve 34497 from 'Residential' to 'Civic and Community' consistent with the prevailing purpose of the Reserve.

Amending the Scheme Map by reclassifying Reserves 36272 and 36882 from 'Light Industry' to 'Government Services'

The modification proposes to reclassify Reserves 36272 and 36882 from 'Light Industry' to 'Government Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 46889 from 'Light Industry' to 'Drainage / Waterway'

The modification proposes to reclassify Reserve 46889 from 'Light Industry' to 'Drainage / Waterway' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 46890 from 'Light Industry' to 'Public Open Space'

The modification proposes to reclassify Reserve 46890 from 'Light Industry' to 'Public Open Space' consistent with the prevailing purpose of the Reserve.

It should be noted that AR3 applies to this reserve as outlined under Section 2.8 of this report.

Amend the Scheme Map by reclassifying Reserve 14378 from 'Residential' to 'Public Purposes'

The modification proposes to reclassify Reserve 14378 from 'Residential' to 'Public Purposes' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 34217 from 'Public Purposes' to 'Infrastructure Services'

The modification proposes to reclassify Reserve 34217 from 'Public Purposes' to 'Infrastructure Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 41421 from 'Residential' to 'Drainage / Waterway'

The modification proposes to reclassify Reserve 41421 from 'Residential' to 'Drainage / Waterway' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 44732 from 'Residential' to 'Drainage / Waterway'

The modification proposes to reclassify Reserve 44732 from 'Residential' to 'Drainage / Waterway' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 34291 from 'Public Purposes' to 'Infrastructure Services'

The modification proposes to reclassify Reserve 34291 from 'Public Purposes' to 'Infrastructure Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 34288 from 'Public Purposes' to 'Environmental Conservation' reserve

The modification proposes to reclassify Reserve 34288 from 'Public Purposes' to 'Environmental Conservation' reserve consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 34286 and Lot 730 on Deposited Plan 36806 from 'Residential' to 'Local Road'

The modification proposes to reclassify Reserve 34286 and Lot 730 on Deposited Plan 36806 from 'Residential' to 'Local Road' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 49295 from 'Residential' to 'Local Road'

The modification proposes to reclassify Reserve 49295 from 'Residential' to 'Local Road' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 48592 from 'Public Purposes' to 'Infrastructure Services'

The modification proposes to reclassify Reserve 48592 from 'Public Purposes' to 'Infrastructure Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 35585 from 'Public Purposes' and 'Public Open Space' to 'Education'

The modification proposes to reclassify Reserve 35585 from 'Public Purposes' and 'Public Open Space' to 'Education' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying the portion of Reserve 35584 south of Alan Rose Drive from 'Public Purposes' and 'Public Open Space' to 'Civic and Community'

The modification proposes to reclassify Reserve 35584 south of Alan Rose Drive from 'Public Purposes' and 'Public Open Space' to 'Civic and Community' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 40521 from 'Public Open Space' to 'Infrastructure Services'

The modification proposes to reclassify Reserve 40521 from 'Public Open Space' to 'Infrastructure Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying the portion of Melia Way, Munglinup currently zoned 'Rural Townsite' as 'Local Road'

This modification proposes to show the road on the Scheme Map.

Amend the Scheme Map by reclassifying the Right of Way off Manjart Street, Munglinup currently zoned 'Rural Townsite' as 'Local Road'

This modification proposes to show the Right of Way on the Scheme Map.

Amend the Scheme Map by reclassifying Reserve 41475 from 'General Industry' to 'Local Road'

This modification proposes to show Reserve 40475 (a Right of Way) as a 'Local Road' which was incorrectly zoned 'General Industry' on the Scheme Map.

Amend the Scheme Map by reclassifying Reserve 30227 from 'Rural Townsite' to 'Public Open Space'

This modification proposes to show Reserve 30227 as 'Public Open Space' which was incorrectly zoned 'Rural Townsite' on the Scheme Map.

Amend the Scheme Map by reclassifying Reserve 30228 from 'Rural Townsite' to 'Public Purposes'

This modification proposes to show Reserve 30228 as 'Public Open Space' which was incorrectly zoned 'Rural Townsite' on the Scheme Map.

Amend the Scheme Map by reclassifying Lot 202 on Deposited Plan 34739 from 'Education' to 'Residential' with a residential density of 'R10/25'

This modification is required as Lot 202 on Deposited Plan 34739 is a freehold lot with a dwelling constructed on it. The proposed zoning is consistent with the 'Residential' zone found throughout Munglinup.

Amend the Scheme Map by applying the 'Rural Townsite' zone to 'Lots 18 – 34 on Plan 174201, Lots 2 – 6, 10, 12 – 14, 36 and 37 on Plan 210294 Jerdacuttup.'

This modification proposes to apply the 'Rural Townsite' zone to the specified lots within the Jerdacuttup townsite. The amended permissibilities as outlined in Section 2.5 of this Amendment Document make this the appropriate zone to apply to this rural townsite.

Amend the Scheme Map by reclassifying Reserve 28523 from 'Rural' to 'Government Services'

This modification proposes to show Reserve 28523 as 'Government Services' which reflects the reserves purposes as it was incorrectly zoned 'Rural' on the Scheme Map.

Amend the Scheme Map by reclassifying Reserve 40160 from 'Rural' to 'Cemetery'

This modification proposes to show Reserve 40160 as 'Cemetery' which is the reserves purposes as it was incorrectly zoned 'Rural' on the Scheme Map.

Amend the Scheme Map by applying the 'Rural Townsite' zone to Lots 1 – 114 on Plan 222384 Desmond

This modification proposes to apply the 'Rural Townsite' zone to the specified lots within the Desmond townsite. The amended permissibilities as outlined in Section 2.5 of this Amendment Document make this the appropriate zone to apply to this rural townsite.

Amend the Scheme Map by classifying all roads and right of ways within the Desmond Townsite as 'Local Road'

This modification classifies all road reserves within the Desmond townsite as 'Local Road'.

Amend the Scheme Map by applying the 'Rural Townsite' zone to Lots 1 – 16 on Plan 222728 and Lots 33 – 80 on Plan 222729 Kundip.

This modification proposes to apply the 'Rural Townsite' zone to the specified lots within the Kundip townsite. The amended permissibilities as outlined in Section 2.5 of this Amendment Document make this the appropriate zone to apply to this rural townsite.

Amend the Scheme Map by classifying all roads and right of ways within the Kundip Townsite as 'Local Road'

This modification classifies all road reserves within the Kundip townsite as 'Local Road'

Amend the Scheme Map by applying the 'Rural Townsite' zone to Lots 44 – 47 on Plan 174185 and Lots 1 – 30 on Plan 210950 Fitzgerald

This modification proposes to apply the 'Rural Townsite' zone to the specified lots within the Fitzgerald townsite. The amended permissibilities as outlined in Section 2.5 of this Amendment Document make this the appropriate zone to apply to this rural townsite.

Amend the Scheme Map by reclassifying the portion of Reserve 29437 currently zoned 'Rural' to 'Public Open Space'.

This modification is proposes to show the remainder of Reserve 29437 which is zoned 'Rural' as 'Public Open Space' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 47050 from 'Rural' and 'Local Road' to 'Infrastructure Services'

This modification is proposes to show Reserve 47050 that is currently zoned 'Rural' as 'Infrastructure Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 49207 from 'Rural Residential' to 'Emergency Services'

This modification is proposes to show Reserve 49207 that is currently zoned 'Rural Residential' as 'Emergency Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 49159 from 'Rural Residential' to 'Public Open Space'

This modification is proposes to show Reserve 49159 which is zoned 'Rural Residential' as 'Public Open Space' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 39171 from 'Rural' and 'Infrastructure Services' to 'Environmental Conservation'

This modification is proposes to show Reserve 39171 which is zoned 'Rural' and 'Infrastructure Services' as 'Environmental Conservation' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 38324 from 'Local Road' and 'Light industry' to 'Emergency Services'

This modification is proposes to show Reserve 38324 that is currently zoned 'Light Industry' and 'Local Road' as 'Emergency Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 43237 from 'Light industry' to 'Emergency Services'

This modification is proposes to show Reserve 43237 that is currently zoned 'Light Industry' as 'Emergency Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 43238 from 'Light industry' to 'Drainage / Waterway'

This modification is proposes to show Reserve 43238 that is currently zoned 'Light Industry' as 'Drainage / Waterway' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 28341 from 'General Industry' to 'Government Services'

This modification is proposes to show Reserve 28341 that is currently zoned 'General Industry' as 'Government Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 32440 from 'General Industry' to 'Government Services'

This modification is proposes to show Reserve 32440 that is currently zoned 'General Industry' as 'Government Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 47830 from 'General Industry' to 'Government Services'

This modification is proposes to show Reserve 47830 that is currently zoned 'General Industry' as 'Government Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 29697 from 'General Industry' to 'Government Services'

This modification is proposes to show Reserve 29697 that is currently zoned 'General Industry' as 'Government Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 39048 from 'Rural' to 'Infrastructure Services'

This modification is proposes to show Reserve 39048 that is currently zoned 'Rural' as 'Infrastructure Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 38863 from 'Residential' to 'Infrastructure Services'

This modification is proposes to show Reserve 38863 that is currently zoned 'Residential' as 'Infrastructure Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 7712 from 'Rural Townsite' to 'Government Services'

This modification is proposes to show Reserve 7712 that is currently zoned 'Rural Townsite' as 'Government Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by classifying Lot 4 on Plan 223075 from 'Rural Townsite to 'Emergency Services'

This modification is proposes to show Lot 4 on Plan 223075 that is currently zoned 'Rural Townsite' as 'Government Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 12440 from 'Light Industry' to 'Infrastructure Services'

This modification is proposed to show Reserve 12440 that is currently zoned 'Light Industry' as 'Infrastructure Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying a portion of Reserve 7713 from 'Rural Townsite' to 'Parking'

This modification is proposed to show a portion of Reserve 7713 that is currently zoned 'Rural Townsite' as 'Parking' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying a portion of Reserve 7713 from 'Rural Townsite' to 'Infrastructure Services'

This modification is proposed to show a portion of Reserve 7713 that is currently zoned 'Rural Townsite' as 'Infrastructure Services' consistent with the development that has occurred on a portion of the Reserve.

Amend the Scheme Map by reclassifying Reserve 42529 from 'Light Industry' to 'Parking'

This modification is proposed to show Reserve 42529 that is currently zoned 'Light Industry' as 'Parking' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 37303 from 'Light Industry' to 'Parking'

This modification is proposed to show Reserve 37303 that is currently zoned 'Light Industry' as 'Parking' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 50682 from 'Public Open Space' to 'Infrastructure Services'

This modification is proposed to show Reserve 37303 that is currently classified as 'Public Open Space' as 'Infrastructure Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying the portion of roadway between Ravensthorpe – Hopetoun Road and Lot 231 on Plan 104934 zoned 'Public Open Space' to 'Local Road'

This modification is proposed to show the portion of roadway between Ravensthorpe – Hopetoun Road and Lot 231 on Plan 104934 zoned 'Public Open Space' to 'Local Road'.

Amend the Scheme Map by reclassifying the portion of Reserve 7517 currently zoned 'Public Open Space' as 'Infrastructure Services'

This modification is proposed to show Reserve 7517 that is currently classified as 'Public Open Space' as 'Infrastructure Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying the portion of Reserve 7369 currently zoned 'Residential' to 'Public Open Space'

This modification is proposed to show Reserve 7369 which is zoned 'Residential' as 'Public Open Space' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 44777 from 'Mixed Use' to 'Civic and Community'

This modification is proposed to show Reserve 44777 which is zoned 'Mixed Use' as 'Civic and Community' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 24519 from 'Mixed Use' to 'Civic and Community'

This modification is proposed to show Reserve 24519 which is zoned 'Mixed Use' as 'Civic and Community' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying the Right of Way between Reserve 24519 and 44777 from 'Mixed Business' to 'Local Road'

This modification is proposes to reclassify the Right of Way between Reserve 24519 and 44777 from 'Mixed Business' to 'Local Road'.

Amend the Scheme Map by reclassifying the Right of Way between Lots 15 and 16 on Plan 223075 from 'Rural Townsite' to 'Local Road'

This modification is proposes to reclassify the Right of Way between Lots 15 and 16 on Plan 223075 from 'Rural Townsite' to 'Local Road'.

Amend the Scheme Map by reclassifying the Right of Way between Lot 173 on Plan 223076 and Reserve 29814 from 'Residential' to 'Local Road'

This modification is proposes to reclassify the Right of Way between Lot 173 on Plan 223076 and Reserve 29814 from 'Residential' to 'Local Road'.

Amend the Scheme Map by reclassifying the Right of Way between Lots 163 and 164 on Plan 223076 from 'Residential' to 'Local Road'

This modification is proposes to reclassify the Right of Way between Lots 163 and 164 on Plan 223076 from 'Residential' to 'Local Road'.

Amend the Scheme Map by reclassifying the Right of Way between Lots 539 and 540 on Plan 223079 from 'Residential' to 'Local Road'

This modification is proposes to reclassify the Right of Way between Lots 539 and 540 on Plan 223079 from 'Residential' to 'Local Road'.

Amend the Scheme Map by reclassifying the Right of Way between Lots 566 and 567 on Plan 223079 from 'Residential' to 'Local Road'

This modification is proposes to reclassify the Right of Way between Lots 566 and 567 on Plan 223079 from 'Residential' to 'Local Road'.

Amend the Scheme Map by reclassifying the Right of Way between Lots 576 and 577 on Plan 223079 from 'Residential' to 'Local Road'

This modification is proposes to reclassify the Right of Way between Lots 576 and 577 on Plan 223079 from 'Residential' to 'Local Road'.

Amend the Scheme Map by reclassifying the Right of Way between Lots 611 and 612 to the north of the Right of Way between Lots 566 and 567 on Plan 223079 from 'Residential' to 'Local Road'

This modification is proposes to reclassify the Right of Way north of the Right of Way between Lots 576 and 577 on Plan 223079 from 'Residential' to 'Local Road'.

Amend the Scheme Map by reclassifying the Right of Way between Lot 25 on Plan 223075 and Reserve 7712 from 'Rural Townsite' to 'Local Road'

This modification is proposes to reclassify the Right of Way between Lot 25 on Plan 223075 and Reserve 7712 from 'Rural Townsite' to 'Local Road'.

Amend the Scheme Map by reclassifying the Right of Way between Lots 35 and 36 on Plan 223075 from 'Mixed Use' to 'Local Road'

This modification is proposes to reclassify the Right of Way between Lots 35 and 36 on Plan 223075 from 'Mixed Use' to 'Local Road'.

Amend the Scheme Map by reclassifying Reserve 42699 from 'Mixed Business' to 'Government Services'

This modification is proposes to show Reserve 42699 which is zoned 'Mixed Use' as 'Government Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 38694 from Residential' to 'Local Road'
This modification is proposes to show Reserve 38694 which is zoned 'Residential' as 'Local Road' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying the portion of Reserve 29693 reserved as 'Local Road' to 'Public Open Space'

This modification is proposes to show the portion of Reserve 29693 which is classified as 'Local Road' as 'Public Open Space' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 46397 from 'Residential' to 'Public Open Space'

This modification is proposes to show Reserve 46397 which is zoned 'Residential' as 'Public Open Space' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 43571 from 'Rural Townsite' to 'Civic and Community'

This modification is proposes to show Reserve 43751 which is zoned 'Rural Townsite' as 'Civic and Community' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 33638 from 'Residential' to 'Medical Services'

This modification is proposes to show Reserve 33638 which is zoned 'Residential' as 'Medical Services' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying Reserve 38727 and Lot 126 on Plan 233075 from 'Public Purposes' to 'Civic and Community'

This modification is proposes to show Reserve 38727 and Lot 126 on Plan 233075 that are currently classified as 'Public Purposes' as 'Civic and Community' consistent with the prevailing purpose and use of the Reserve and Lot.

Amend the Scheme Map by reclassifying McCulloch Way from 'Public Open Space' to 'Local Road'

This modification is proposes to show McCulloch Way which is classified as 'Public Open Space' to 'Local Road'.

Amend the Scheme Map by reclassifying Reserve 19492 from 'Rural' to 'Public Open Space'

This modification is proposes to show Reserve 19492 which is zoned 'Rural' as 'Public Open Space' consistent with the prevailing purpose of the Reserve.

Amend the Scheme Map by reclassifying a portion of Lot 82 on Plan 224161 from 'Public Purposes' to 'Strategic Infrastructure'

This modification is proposes to show a portion of Lot 82 on Plan 224161 which is classified as 'Public Purposes' as 'Strategic Infrastructure' consistent with the prevailing purpose of the Reserve.

Amend the Scheme by replacing in Clause 4.9

The modification amends this clause to remove the current reference to 'Schedule 3 sets out requirements relating to development that are included in structure plans, activity centre plans and local development plans that apply in the Scheme area' as there are no additional requirements that apply to the Scheme in this respect.

Amend the Scheme by replacing 'Rural Townsite' with 'Commercial' in the heading in clause 4.12

This modification is required as a result of replacing the current 'Rural Townsite' zone with the 'Commercial' zone as outlined in Section 2.25 of this Amendment Document.

Amend the Scheme by replacing 'Rural Townsite' with 'Commercial' in Clauses 4.12.2, 4.12.3, 4.12.4 and 4.12.5

This modification is required as a result of replacing the current 'Rural Townsite' zone with the 'Commercial' zone as outlined in Section 2.25 of the Amendment Document.

Amend the Scheme by Deleting Clause 4.12.1 and renumbering the Scheme accordingly.

This modification is proposed as the clauses requirement to consider a local planning policy is already provided for in Clauses 3(5) and 67 of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2

Amend the Scheme by deleting the second ';' in clause 4.14.1.2(a)

This modification is proposed to correct a typographical error.

Amend the Scheme by inserting into clause 4.14.1.2 a new subclause (f)

This modification is proposed to clarify where additional dwellings can be constructed on 'Rural' zoned land. The Scheme currently allows for no more than three dwellings to be constructed on 'Rural' zoned land. This creates an issue as there are a number of smaller rural lots that are not suited to grouped dwelling development. To resolve this situation a new clause is proposed so that additional dwellings will only be permitted where a lot has an area of 50ha or greater.

Amend the Scheme by replacing 'Regulations' with 'Deemed Provisions' in Clause 4.14.4.1

It is proposed to replace 'Regulations' with 'Deemed Provisions' in Clause 4.14.4.1. This is done to ensure the correct clause is referenced as the 'Deemed Provisions' is the correct defined reference for Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Amend the Scheme by deleting subclause (c) in Clause 4.14.3.1

This modification is proposed as the matter to be considered in this clause is adequately contained within Clause 67. of the Deemed Provisions and the current clause is a duplication.

Amend the Scheme by deleting subclause (d) in Clause 4.14.3.1

This modification is proposed as the matter to be considered in this clause is adequately contained within Clause 67. of the Deemed Provisions and the current clause is a duplication.

Amend the Scheme by deleting subclause (e) in Clause 4.14.3.1

This modification is proposed as the matter to be considered in this clause is adequately contained within Clause 67. of the Deemed Provisions and the current clause is a duplication.

Amend the Scheme by deleting subclause (a) in Clause 4.14.4.1

This modification is proposed as the matter to be considered in this clause is adequately contained within Clause 67. of the Deemed Provisions and the current clause is a duplication.

Amend the Scheme by deleting subclause (f) in Clause 4.14.4.1

This modification is proposed as the matter to be considered in this clause is adequately contained within Clause 67. of the Deemed Provisions and the current clause is a duplication.

Amend the Scheme by deleting subclause (h) in Clause 4.14.4.1

This modification is proposed as the matter to be considered in this clause is adequately contained within Clause 67. of the Deemed Provisions and the current clause is a duplication.

Amend the Scheme by deleting subclause (i) in Clause 4.14.4.1

This modification is proposed as the matter to be considered in this clause is adequately contained within Clause 67. of the Deemed Provisions and the current clause is a duplication.

Amend the Scheme by deleting subclause (j) in Clause 4.14.4.1

This modification is proposed as the matter to be considered in this clause is adequately contained within Clause 67. of the Deemed Provisions and the current clause is a duplication.

Amend the Scheme by replacing 'additional site and development requirements for areas covered by a structure plan, activity centre plan or local development plan in' with 'provisions of' in Clause 4.15.1

This modification is required as the reference to 'additional site and development requirements for areas covered by a structure plan, activity centre plan or local development plan in' was incorrect as outlined in Section 2.108 of this Amendment Document.

Amend the Scheme by replacing '10% of the lot area, or 2,000m²' with '20% of the lot area, or 4,000m²' in Clause 4.15.3.2 b)

This modification is proposed as 10% of the lot area, or a 2,000m² building envelope results in variation being required more often than not. The constraints on the subject land are not such that increasing the size of the building envelope will have a delirious affect and it will have a further benefit in improving fire management by allowing for a greater low fuel area around buildings.

Amend the Scheme by inserting 'in the Rural Residential and Rural Smallholdings zones' after the word 'vegetation' Clause 4.15.8 (a)

This modification is proposed as a simplification of the Scheme text as common clauses exist in relation to vegetation protection in both the 'Rural Residential' and 'Rural Smallholdings' zones.

Amend the Scheme by inserting a new subclause into Clause 4.15.8

In January 2014, the Australian Government Minister for the Environment listed the Proteaceae Dominated Kwongkan Shrubland ecological community after considering the advice of the Threatened Species Scientific Committee.

During a rigorous assessment, the scientific evidence supported as it met the eligibility criteria for listing as endangered under national environment law.

The ecological community is intolerant of frequent disturbance due to land modification and clearance. A reduction in the integrity of the ecological community is evident from observations of dieback due to plant pathogens, effects of altered fire regimes, weed invasion, fragmentation and the subsequent decline or changes to flora and fauna within the ecological community. A reduction in community integrity results in changes to both the species composition and ecological processes that maintain the ecological community. If these changes are ongoing, some native species may persist, but it could lead to the eventual loss of a naturally functioning ecological community overall.

As a result of this provision a condition will be placed on any development where there is a potential presence of Proteaceae Dominated Kwongkan Shrubland stating:

'Due to the potential presence of Proteaceae Dominated Kwongkan Shrubland, listed in the *Australian Government Environmental Protection and Biodiversity Conservation Act 1999* (EPBC) as a threatened ecological community, it is the responsibility of the applicant to ensure that any and all permits and licenses required by the Department of Environment and Energy (Federal Level) are obtained prior to commencing any and all clearing activity.'

Amend the Scheme by moving Clause 4.15.8 to a new clause before Clause 4.17 with the title 'Vegetation Protection'

This modification is proposed as a simplification of the Scheme text as common clauses exist in relation to vegetation protection in both the 'Rural Residential' and 'Rural Smallholdings' zones.

Amend the Scheme by deleting Clause 4.16.8

This modification is proposed as a simplification of the Scheme text as common clauses exist in relation to vegetation protection in both the 'Rural Residential' and 'Rural Smallholdings' zones. This deletes the clause that is now referenced in the new clause referenced in Section 2.127 of the Amendment Document.

Amend the Scheme by replacing 'On land within the Rural, Residential, Mixed Use or Rural Townsite Zones, the' with 'The' in Clause 4.17.1

This modification proposes to remove the land uses from the provision relying on the zoning table in 3.2 to determine permissibility and using the clause to apply to all 'Workforce Accommodation' proposals within the Scheme Area.

Amend the Scheme replacing clause 4.17(d)

This modification is proposed to ensure that development for 'Workforce Accommodation' complies with the Development Standards in Schedule 4 – Development Standards by Zone.

Amend the Scheme by replacing the heading of Clause 4.18 with 'Holiday Accommodation Requirements'

This modification is required to reflect the modification of the clause to refer only to 'Holiday Accommodation'.

Amend Clause 4.18.1 by deleting 'not exceed 100 square metres per dwelling and'

This modification simplifies the clause and allows a more flexible approach to be undertaken using the Local Planning Policy framework.

Amend the Scheme by deleting Clauses 4.18.3 to 4.18.5

This modification is proposed as the requirement for parking for a specific development is outlined in Schedule 4 and 6 of the Scheme. The current clause (4.18.3) does not reference these schedules and does not stipulate how many additional parking bays are required.

Clause 4.18.4 is proposed to be deleted as a simplification of the approval process. The same result can be achieved through compliance with appropriate conditions.

Clause 4.18.5 is proposed to be deleted as the zoning table in Clause 3.2 identifies the appropriate zones for these uses.

Amend the Scheme by inserting a new Clause 4.18.3

This modification introduces a new provision stating that where Bed and Breakfast or Holiday House uses are proposed, the site is to be connected to reticulated sewerage or the effluent disposal systems are to be of suitable quality and size.

Amend the Scheme by moving clause 4.18.2 to onwards to a new section after 4.18 titled 'Bed and Breakfast and Holiday House Requirements'

This modification is required to reflect the modification of the clause 4.18 to refer only to 'Holiday Accommodation' so a new clause is proposed to deal with 'Bed and Breakfast' and 'Holiday House' requirements.

Amend the Scheme by replacing 'Schedule 4' with 'Schedule 6' in Clauses 4.19.1, 4.19.2, 4.19.3 and 4.19.4

This modification to the Scheme is required to ensure the Schedule referenced in the aforementioned clause take into account the introduction of two new Schedules by this Amendment.

Amend the Scheme by deleting Clause 4.19.5

This modification to the Scheme removes the cash-in-lieu components of this provision. This has been done to facilitate the introduction of a new clause as outline under Section 2.138 of the amendment document.

Amend the Scheme by inserting a new clause before clause 4.20

This modification introduces a new provision providing for parking separated from development and expanded provisions for cash-in-lieu. The replacement provision provides for a much more robust approach to dealing with cash-in-lieu.

Amend the Scheme by renaming Schedule 3 to 'Schedule 5 - Rural Residential – Special Provisions'

This modification to the Scheme is required to ensure the Schedule number takes into account the introduction of two new Schedules by this Amendment.

Amend the Scheme by renumbering subclauses '(a)' to '(b)' and '(b)' to '(c)' in Clause 4.22.1

This modification to the Scheme is required to allow the introduction of a new subclause (a) into the clause.

Amend the Scheme by inserting a new subclause (a) into Clause 4.22.1

This modification to the Scheme adds a new provision allow the local government to require development approval for a proposal on amenity grounds. The scheme current allows a proposal to be refused or place conditions on a proposal so the introduction of the new subclause will complete the clause.

Amend the Scheme by deleting 'and Department of Lands' in Clause 4.24.3

This modification is required as a modification made by Amendment No. 2 did not delete a formers agencies name.

Amend the Scheme by inserting a new clause 4.24.5

This modification provides an exemption in relation to the height of telecommunications infrastructure which is consistent with the modifications that are proposed to Clause 4.30.1.

Amend the Scheme by deleting 'and structures' from Clause 4.30.1

This modification is proposed to remove 'and structure' so that the clause only relates to building height.

Amend the Scheme by deleting 'or structures' from Clause 4.30.2

This modification is proposed to remove 'and structure' so that the clause only relates to building height.

Amend the Scheme by deleting 'or structure' from Clause 4.30.2 (b)

This modification is proposed to remove 'and structure' so that the clause only relates to building height.

Amend the Scheme by replacing by Clause 4.32

This modification is required as 'Mining Operations' is currently listed as a 'D' use in Table No. 4 - Zoning and Land Use Table. The requirement for approval under the Scheme is in error as

Section 120 of the *Mining Act 1978* exempts 'Mining Operations' from the requirement for development approval and will be determined in accordance with the Mining Act 1978.

Current planning practice is to apply an asterisk against the '*D' use stating:

*'Mining operations' covered by the *Mining Act 1978* is exempt from the requirement for development approval and will be determined in accordance with the *Mining Act 1978*.

Whilst it is proposed to retain the above asterisk against the '*D' use it is considered that this is a flawed approach as it does not address the fact that the land use is not exempted by either the Scheme or Clause 61 of the Deemed Provisions. This amendment provides an opportunity to review this clause in the absence of the Asterisk's.

The proposed modification exempts this use but mandates that the shire is consulted with regards to the Local Planning Scheme and Local Planning Strategy. The proposed is legally valid and represents an improvement in the manner that 'Mining Operations' are dealt with in the Scheme.

Amend the Scheme by renumbering Schedule 1 to Schedule 3 and amending all schedules onwards accordingly

This modification to the Scheme is required to ensure the Schedule number takes into account the introduction of two new Schedules by this Amendment.

Amend the Scheme by replacing 'the Table' with 'Schedule 2' in Clause 5.1.2

The proposed modification replaces the reference to the Special Control Areas from a table to a new Schedule 2 as detailed through Section 2.151 of the Amendment Document.

Amend the Scheme by moving 'Table 12 – Special control areas in Scheme Area' to a new 'Schedule 2 – Special Control Areas'

The proposed modification moves 'Table 12 – Special control areas in Scheme Area' to a new 'Schedule 2 – Special Control Areas'.

Amend the Scheme by deleting SCA1 within Table 12 and inserting a new SCA1

This modification replaces the current 'SCA1 – Infrastructure (Water Supply Protection Area)' within Table 12 and introduces a new SCA1 as a clause within Schedule 2.

The new proposed Special Control Area represents best practice for the implementation of State Planning Policy 2.7 – Public Drinking Water Source Policy and is consistent with the Department of Water and Environmental Regulation's Water Quality Protection Note 25 - Land Use compatibility in Public Drinking Water Source Areas.

A provision is also included within the Special Control Area to allow a basic amendment to be undertaken when any Public Drinking Source Area within the Scheme Area is finalised by the Department of Water and Environmental Regulation

Amend the Scheme Map to show the Public Drinking Source Priority Areas and Wellhead Protection zones as shown in the Hopetoun Water Reserve Drinking Water Source Protection Review – WRP 157.

This modification introduces the map modification that correlates with the amended provisions for Special Control Area No. 1 introduced under Amendment point number 152.

Amend the Scheme by inserting 'SCA2' and 'SCA3' after SCA1 into the same format as the replaced 'SCA1' with the title being 'Name of Area', a heading of 'Purpose' from the 'Purpose' column with the text 'The purpose of this SCA is' being inserted at the start of the clause for

SCA 2 and a heading of 'Additional Provisions' from the 'Additional Provisions' and delete 'SCA2 and SCA3' from Table 12

This modification proposed to format SCA2 and SCA3 as provisions outside of Table 12 using the columns to provide headings. No new provisions are proposed through this modification.

Amend the Scheme by inserting SCA4' after SCA3 into the same format as the replaced 'SCA1' with the title being 'Name of Area', a heading of 'Purpose' from the 'Purpose' column with the text 'The purpose of this SCA is' being inserted at the start of the clause and the points with the 'Additional Provisions' will form the remainder of the headings and delete 'SCA4' from Table 12

This modification proposed to format SCA4 as provisions outside of Table 12 using the columns to provide headings. No new provisions are proposed through this modification.

Amend the Scheme by inserting 'SCA5' into the same format as the replaced 'SCA1' with the title being 'Name of Area', a heading of 'purpose' from the 'Purpose' column, and 'Objective' from the 'Objective' column and the points with the 'Additional Provisions' will form the remainder of the headings

This modification proposed to format SCA4 as provisions outside of Table 12 using the columns and the points under the 'Additional Provisions' heading to provide headings. No new provisions are proposed through this modification.

Amend the Scheme by renumbering the subclauses and any other referenced within 'SCA2', 'SCA3' 'SCA4' and 'SCA5'

This modification is required to ensure that the correct numbering is assigned through the conversion of the Special Control Areas outside of the table format.

Amending the Scheme by deleting Table 12

This modification is the final stage of the removal of the Special Control Areas from the table being the removal of Table 12.

Amend the Scheme by renaming Schedule 2 from 'Additional Site and Development Standards' to 'Development Provisions by Zone'

This modification renames the Schedule to reference the contents of the table. The original title appears to have been applied in error.

Amend the Scheme by inserting into Schedule 2 'Residential' before 'Rural Townsite'

This modification is proposed to incorporate the 'Residential' zone into Schedule 2 with development in accordance with the Residential Design Codes. It should be noted that Schedule 2 will be renumbered to Schedule 4 as outlined in Section 2.149 of the Amendment Document.

Amend the Scheme by renaming the 'Rural Townsite' zone to 'Commercial' in Schedule 2

This modification is proposed to rename the 'Rural Townsite' zone to 'Commercial' in Schedule 2 to reflect the changes as outlined in Section 2.25 of this Amendment Document. It should be noted that Schedule 2 will be renumbered to Schedule 4 as outlined in Section 2.149 of the Amendment Document.

Amend the Scheme by inserting into Schedule 2 'Rural Townsite' before 'Commercial'

This modification is proposed to incorporate the 'Rural Townsite' zone into Schedule 2 with development standards being based of the R12.5 density as specified in Table 1 of the Residential Design Codes. It should be noted that Schedule 2 will be renumbered to Schedule 4 as outlined in Section 2.149 of the Amendment Document.

Amend the Scheme by moving footnote (i) in Schedule 2 and amending the word 'adjoin' to 'adjoins' in the table to a new row under the 'Tourism' use with the same format as amendment point 87

This modification is proposed to reformat the table in Schedule 2 so that the footnote directly falls beneath the zone it applies to.

Amend the Scheme by renumbering the footnote and associated references from '(i)' to '(iii)' in Schedule 2 for the 'Rural Smallholdings' zone.

This modification is proposed to reformat the table in Schedule 2 so that the footnote numbering is more legible

Amend Clause 4.35(a) (retaining the subclauses) by replacing it

This modification is introduced to provide an avenue to exempt commercial vehicle parking in a residential area subject to compliance with a set of conditions. Where the conditions are not complied with a development approval is required.

Amend the Scheme by inserting into Clause 4.35(a) a new subclause (viii)

This modification proposes a new subclause so that compliance with the Environmental Protection (Noise) Regulations 1997 is a criteria by which development, for the purposes of this clause, is considered exempt.

Amend the Scheme by replacing within Clause 4.35(a)(vi) ';' and' with ':'

This modification relates to the introduction of a new subclause as outlined in Section 2.166 of this Amendment Document.

Amend the Scheme by replacing within Clause 4.35(a)(vii) '.' with ':' and'

This modification relates to the introduction of a new subclause as outlined in Section 2.166 of this Amendment Document.

Amend the Scheme by replacing within Clause 4.8.1 'the clauses 4.12 to 4.33' with 'Schedule 1'

This modification replaces the reference for the additional site and development requirements from clauses 4.12 to 4.33 with the new reference of Schedule 1. This has the added advantage that when new clauses are introduced or removed by future amendments the reference in this clause will remain valid.

Amend the Scheme by inserting before Clause 4.12 and renumbering the subsequent clauses accordingly

This modification inserts a new clause ensuring that Schedule 4 – Development Provisions by Zone is referenced within the Scheme.

Amend the Scheme by moving Clause 4.12 onwards to a new schedule before Schedule 1 titled 'Schedule 1 - Additional Site and Development Requirements'

This modification moves the additional site and development requirements from clause 4.12 onwards with the new reference of Schedule 1. This has the added advantage that when new clauses are introduced or removed by future amendments the reference in this clause will remain valid.

Amend Clause 4.9 by replacing it with 'There are no additional requirements that apply in this Scheme.'

This modification is correction to an error which placed all the 'Rural Residential' special provisions into a Schedule for Additional Site and Development Requirements for Areas Covered by Structure Plan, Activity Centre Plan or Local Development Plan.

Amend the Scheme by replacing, within Clause 6.2, the meaning for the land use 'park home park'

This modification amends the definition so that the correct statutory reference is used.

Amend Schedule 4 by deleting the headings 'Residential Uses', 'Ancillary Residential Uses', 'Commercial Uses', 'Tourism Uses', 'Industrial Uses', 'Rural Uses' and 'Community Uses' and sort the Use Class alphabetically

This modification is to correct a formatting error.

Amend Schedule 4 by inserting new land uses

This modification introduces a range of land uses that were not contained in the Schedule. The aim of this is to provide a consistent approach to all development within the Scheme.

Amend the Scheme by deleting ' or fence' within Schedule A Clause 61(1)(l)

This modification removes fence from incidental development exemption as fencing is not controlled by the Scheme.

Amending the Scheme by replacing Schedule A Clause 61(1)(m) with 'The erection of a boundary fence in accordance with an adopted Fencing Local Law.'

This modification adds a new exemption for fencing where it is accordance with the Fencing Local Law. This retains the intent of the exemption that was modified under Section 2.176 of this report.

Amending the Scheme by replacing within Schedule A Clause 61(1)(o) 'The placement of a shipping container on a lot except where it is:' with 'The placement of a shipping container on a lot only where it is:'

This modification is required to correct an error in the current exemption for shipping containers.

Amend the Scheme by modifying the numbering from '(a),(b) and (c)' to '(i),(ii) and (iii)' within Schedule A Clause 61(1)(o)

This modification is to correct a formatting error.

Amend the Scheme by renumbering the clauses within the Scheme and any associated renumbering throughout the Scheme; formatting the numbering to follow the same format as the Deemed Provision

This is a general amendment so that should any numbering requiring amendment due to earlier clauses both within this amendment and earlier amendments can be corrected by this amendment.

A full copy of the amendment documentation is attached.

Consultation:

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

Statutory Obligations:

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Shire of Ravensthorpe Local Planning Scheme No. 6*

Policy Implications:

None

Budget / Financial Implications:

None for Council

Strategic Implications:

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

Theme 1:

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

Sustainability Implications:

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

Voting Requirements:

Simple majority

COUNCIL RESOLUTION**ITEM 10.2.1**

Moved: Cr Goldfinch

Seconded: Cr Major

That Council lay this matter on the table. The Chief Executive Officer be directed to arrange a workshop prior to the matter being considered further.

Carried: 5/0

Res: 22/19

10.3 MANAGER OF ENGINEERING SERVICES

Nil

Cr Goldfinch left the meeting at 5.25pm and returned to the meeting at 5.27pm

10.4 CHIEF EXECUTIVE OFFICER

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|--|
| 10.4.1 APPOINTMENT OF THE WEST AUSTRALIAN ELECTORAL COMMISSIONER TO CONDUCT THE 2019 SHIRE OF RAVENSTHORPE ORDINARY ELECTION AS A POSTAL ELECTION, AND MAKE BUDGET PROVISION FOR THE SAME |
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|--|--|
| File Ref: | GV.EL.3 |
| Applicant: | NA |
| Location: | NA |
| Disclosure of Officer Interest: | NA |
| Date: | 14 March 2019 |
| Author: | Bob Jarvis – Consultant |
| Authorising Officer: | CEO |
| Attachments: | 10.4.1.1 Letter from West Australian Electoral Commissioner |

Summary:

The Shire is in receipt of a letter from the Western Australian Electoral Commissioner requesting a Council decision on the method by which it will conduct the 2019 Shire of Ravensthorpe Local Government Election. If the Council wishes to conduct the election as a postal ballot, and use the services of the Commission it will need to formally resolve to do so in accordance with Sections 4.20(4) and 4.61(2) of the Local Government Act 1995.

Background:

On the 24th October 2018 the Western Australian Electoral Commissioner wrote to the Shire enquiring if the Shire wished to conduct its 2019 election as a postal ballot, and if so, providing a quote for budget purposes for the Commission to conduct the election.

A copy of the letter is provided as an attachment, and the letter advises that if the Council elects to use the Commission to conduct the election as a postal ballot, then a quote for budgetary purposes would be \$16,000 inclusive of GST, and possibly an extra \$220 if a priority postal option is included.

Comment:

The use of the Commission to provide a postal ballot is the most commonly used option for local governments, and is the method used by the Shire in recent years

Consultation:

Not required

Statutory Obligations:

The Council must decide which method it will use to conduct its election, either in-person or by postal vote, and it is required to seek the agreement of the Western Australian Electoral Commissioner in advance of making a decision under Section 4.20(4) of the Local Government Act 1995. The Commissioner advises in his letter that his agreement is given by virtue of the letter being sent to the Shire

Policy Implications:

Nil

Budget / Financial Implications:

The notional budget allocation for the 2019/2020 budget is either \$16,000 or \$16,220 inclusive of GST depending on the standard of service from Australia Post chosen by the Council. The Commissioner suggests the standard service is adequate.

Strategic Implications:

The use of a postal ballot is proven to provide for a substantially larger participation level in elections than in-person, and therefore provides for a greater involvement by the community in the affairs of its local government.

Sustainability Implications:

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

Voting Requirements:

Absolute majority

| | |
|---|--------------------|
| COUNCIL RESOLUTION | ITEM 10.4.1. |
| Moved: Cr Belli | Seconded: Cr Major |
| Recommendation | |
| <ol style="list-style-type: none"> 1. That Council declares that, pursuant to Section 4.20(4) of the Local Government Act (1995) the Electoral Commissioner will be responsible for the conduct of the Shire of Ravensthorpe's 2019 ordinary election together with any other elections or polls which may be required. 2. Resolves, in accordance with Section 4.61(2) of the Local Government Act 1995 that the method of conducting the Shire's 2019 ordinary election will be as a postal election. 3. The CEO makes provision for, in the 2019/2020 draft budget, sufficient funds to meet the cost of the Commission's involvement 4. That the WA Electoral Commission be informed of Council's decision as soon as possible. | |
| Carried: 5/0 | Res; 23/19 |

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

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

12.1 ELECTED MEMBERS

Nil


12.2 OFFICERS

Nil

13. MATTERS BEHIND CLOSED DOORS - Nil

14. CLOSURE OF MEETING – 5.29pm

These minutes were confirmed at the meeting of the 18 June 2019

Signed:  _____

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

Date: 18 June 2019