



Unconfirmed Minutes

Ordinary Meeting of Council

Tuesday, 18 November 2025

Commencing at 6.00pm

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NOTICE OF MEETING

Notice is hereby given that the

Shire of Ravensthorpe

Ordinary Council

Meeting

Will be held on Tuesday,

18 November 2025

Commencing at 6.00pm

Located in the

Hopetoun Community Centre

Matthew Bird
Chief Executive Officer

Disclaimer

The advice and information contained herein is given by and to the council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

Please note this agenda contains recommendations which have not yet been adopted by Council

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MINUTES

Mission Statement	<i>To grow our community through the provision of leadership, services and infrastructure.</i>
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1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 6.02pm.

The Shire President acknowledged the Traditional Owners of the land on which we meet, and pays respect to Elders past, present, and emerging.

2. RECORD OF ATTENDANCE, APOLOGIES AND APPROVED LEAVE OF ABSENCE

Cr Rachel Gibson (Shire President)

Cr Sue Leighton

Cr Robert Miloseski

Cr Bill Auburn

OFFICERS

Matthew Bird (Chief Executive Officer)

Paul Spencer (Executive Manager Infrastructure Services)

Les Mainwaring (Executive Manager Corporate Services)

VISITORS

Honorary Freeman Rod Daw, David Tapscott, Ann Tuppen, Ainsley Foulds, Graham Richardson.

APOLOGIES

Cr Mark Mudie (Deputy President)

Cr Benno Sutherland

Natalie Bell (Executive Manager Project and Regulatory Services)

LEAVE OF ABSENCE

Nil.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTIONS TIME

Ainsley Foulds and Ann Tuppen asked to speak to Report item 12.3.4 Hopetoun Youth and Arts Space 99B Tamar St - Change of Use application to Community Purpose.

Ainsley thanked the Shire planning team for their assistance to date and for Council approvals to date to upgrade the YAS building. The group have applied for third party funding and hope to secure the required funds to undertake the planned upgrades to the Shire owned community building. Ainsley and Ann requested Council consider an amendment to the officer recommendation for report item 12.3.4 point 4 currently presented as "The provision of all services, including augmentation of existing services,

necessary as a consequence of any proposed development shall be at the cost of the developer and at no cost to the Shire of Ravensthorpe.” The request to Council to amend point 4 was to acknowledge that current funding applications have not been confirmed and if one or more are unsuccessful then a separate request to Council may be required for consideration in the future. The project proponents asked Council to consider an amended to point 4 to include the words “subject to the outcomes of grant funding applications”.

5. DECLARATIONS OF INTEREST

Cr Robert Miloskeski – Item 12.3.1

CEO Matthew Bird – late confidential item CEO recruitment

6. APPLICATIONS FOR LEAVE OF ABSENCE

Cr Mudie applied for leave of absence for period 30 November 2025 to 3 January 2026.

COUNCIL DECISION:

Moved by Cr Auburn and seconded by Cr Miloskeski

Resolution #102/25

That Cr Mudie application for leave of absence for period 30 November 2025 to 3 January 2026 inclusive be approved.

Carried 4/0

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 ORDINARY COUNCIL MEETING MINUTES 21 OCTOBER 2025

(Attachment: Yellow 7.1) Statutory Environment:

Section 5.22 of the *Local Government Act 1995* provides that minutes of all meetings are to be kept and submitted to the next ordinary meeting of the Council or Committee, as the case requires, for confirmation.

COUNCIL DECISION:

Moved by Cr Leighton and seconded by Cr Auburn

Resolution # 103/25

That the minutes and associated attachments of the Ordinary Council Meeting held on 21 October 2025 be CONFIRMED as a true and correct record.

Carried 4/0

8. ANNOUNCEMENTS/REPORTS BY ELECTED MEMBERS

Cr Leighton

- Participated in the CEO selection panel process.

Cr Auburn

- Attended the Hopetoun Progress Association AGM
- Attended the Fitzgerald Business Network Business After Hours event at the new Ravensthorpe café.
- Was unable to attend the GS Regional Road Group meeting held last week.

Cr Miloskeski

- Attended the Hopetoun Progress Association AGM, great work the HPA becoming tier 3 housing provider.

- Attended the Remembrance Day event, well done to the Shire President Cr Gibson on an awesome presentation.

Cr Gibson

Attended the following events and activities;

- Ravy Community Cooperative meeting,
- Interview with ABC Goldfields,
- Country Womens Association meeting,
- Windspray Arts – Geoff Vivian exhibition,
- Interview with ABC Great Southern,
- CEO selection panel process,
- Jerdacuttup Community Association meeting,
- Interview with Farm Weekly,
- CEO/Shire President regular meeting,
- Remembrance Day, well done to Shire officers Rod and Michelle. Special thank you to Shire team responsible for ensuring the roses looked so great.
- CBH meeting, and
- Rod Daw lookout planning meeting.

9. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

11. MATTERS ARISING FROM COMMITTEES OF COUNCIL

Nil

12. REPORTS OF OFFICERS

12.1 EXECUTIVE SERVICES

12.1.1 LOCAL GOVERNMENT EXTRAORDINARY ELECTION 2026 AND THE APPOINTMENT OF THE WESTERN AUSTRALIAN ELECTORAL COMMISSION

File Reference:	GV.EL.3
Location:	N/A
Applicant:	N/A
Author:	Chief Executive Officer
Authorising Officer	Chief Executive Officer
Date:	9 November 2025
Disclosure of Interest:	N/A
Attachments: 12.1.1	Correspondence from the Western Australian Electoral Commission x3
Previous Reference:	Nil

PURPOSE

1. To seek Council endorsement for the appointment of the Western Australian Electoral Commissioner to undertake an extraordinary election to replace a resigning Councillor.

BACKGROUND

2. In accordance with 2.32 of the Local Government Act 1995 there are various cases in which an extraordinary election occurs when an elected member:
 - a) dies; or
 - b) resigns from the office; or
 - c) does not make the declaration required by section 2.29(1) within 2 months after being declared elected to the office; or
 - d) advises or accepts under section 2.27 that he or she is disqualified, or is declared to be disqualified by the State Administrative Tribunal acting on an application under section 2.27; or
 - e) is disqualified by an order under section 5.113, 5.117 or 5.119 from holding office as a member of a council; or
 - f) is dismissed under section 8.15L or 8.25(2); or
 - g) becomes the holder of any office or position in the employment of the local government; or
 - h) while holding an office of councillor, is elected to the office of elector mayor or president on the council.
3. When an extraordinary vacancy occurs, an extraordinary election must be conducted; the election day must be decided on and fixed within one month of the vacancy.
4. If the Council wishes to conduct the election as a postal ballot, and use the services of the WA Electoral 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.

COMMENT

5. A vacancy exists on Ravensthorpe Council and an Extraordinary Election is required to seek to fill this position.
6. The Western Australian Electoral Commission (WAEC) was notified of the vacancy.
7. The WAEC has provided the attached written agreement to conduct the extraordinary election as a postal election in accordance with section 4.20(4) of the Local Government Act 1995.
8. The WAEC has previously been responsible for conducting ordinary and extraordinary elections for the Shire in the past and it is recommended that Council declare the responsibility of the pending extraordinary election to the WAEC.
9. The process for Council to follow in terms of appointing the WAEC to be responsible for the conduct of the extraordinary election and for the election to be a postal election is as follows:
 - a) Declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the extraordinary election, and
 - b) Decide, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the extraordinary election will be as a postal election.
10. The use of the WAEC to provide a postal ballot is the most commonly used option for local governments, and is the method used by the Shire for numerous years.
11. The WAEC can accommodate any further resignations from Councillors no later than Friday 23 January 2026 in order to be included in the March extraordinary election.

CONSULTATION

12. Western Australian Electoral Commission
13. Executive Team

STATUTORY ENVIRONMENT

14. Local Government Act 1995
 - section 2.32 – How extraordinary vacancies occur in offices elected by electors
 - section 4.8 – Extraordinary Elections
 - section 4.9 – Election Day for extraordinary elections
 - section 4.20 – CEO to be the returning officer unless other arrangements made
 - section 4.61 – Choice of methods of conducting election

POLICY IMPLICATIONS

15. Nil.

FINANCIAL IMPLICATIONS

16. If approved, the notional budget allocation for conducting this extraordinary election as indicated by the WA Electoral Commission is \$14,500 (GST excluded).

RISK MANAGEMENT

17. The following risks have been identified as a part of this report;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational); elections must be compliant and should be viewed as independent, transparent and impartial (Operational)	Possible	Moderate	Medium	Engage the WAEC to conduct the extraordinary election by postal vote.

ALTERNATE OPTIONS

18. Nil.

STRATEGIC ALIGNMENT

19. This item is relevant to the Councils approved Strategic Community Plan 2020-2030 and Corporate Business Plan 2020-2024.

Outcome 5: Governance and Leadership - The Shire of Ravensthorpe partners the community, and is an effective advocate and responsible steward

Item	Objectives and Strategies
5.1	The Shire's community is engaged and involved
5.2	The Council ensures its decisions are well informed and considered
5.3	The Council, with the support of the community, is an effective advocate for resources and facilities which support the vision for the future
5.4	The Shire of Ravensthorpe is known as a good employer, and staff have the capacity and skills to deliver identified services and strategies
5.6	Financial systems are effectively managed
5.7	Customer service and other corporate systems are of high quality

VOTING REQUIREMENTS

20. Absolute Majority

COUNCIL DECISION

Moved by Cr Auburn and seconded by Cr Miloskeski

Resolution # 104/25

That Council by an Absolute Majority decision:

1. **DECLARES** that, in accordance with Section 4.20(4) of the *Local Government Act (1995)* the Electoral Commissioner to be responsible for the conduct of the extraordinary election; and
2. **DECIDES**, in accordance with Section 4.61(2) of the *Local Government Act 1995* that the method of conducting the extraordinary election will be as a postal election; and
3. **ENDORSE** the allocation of funds up to \$14,500 (GST excluded) in the 2025/26 annual budget to undertake the Shire of Ravensthorpe's 2026 extraordinary election.

Carried 4/0

12.1.2 ORDINARY COUNCIL MEETING DATES 2026

File Reference:	N/A
Location:	Shire of Ravensthorpe
Applicant:	Nil
Author:	Chief Executive Officer
Authorising Officer	Chief Executive Officer
Date:	9 November 2025
Disclosure of Interest:	Nil
Attachments:	N/A
Previous Reference:	N/A

PURPOSE

1. That Council considers the proposed Ordinary Council meeting dates for 2026.

BACKGROUND

2. Councils are required to give local public notice of Ordinary Council meetings prior to the beginning of the year in which the meetings are held per reg.12(1) of the Local Government (Administration) Regulations 1996.
3. Ordinary Council meetings occur on the third Tuesday of the month commencing at 6.00 pm, except in January when no meeting will be scheduled.
4. The proposed 2026 Ordinary Council meeting dates and locations are as follows:
 - Tuesday 6pm, 17 February 2026, Ravensthorpe Council Chambers
 - Tuesday 6pm, 17 March 2026, Ravensthorpe Council Chambers
 - Tuesday 6pm, 21 April 2026, Ravensthorpe Council Chambers
 - Tuesday 6pm, 19 May 2026, Ravensthorpe Council Chambers
 - Tuesday 6pm, 16 June 2026, Ravensthorpe Council Chambers
 - Tuesday 6pm, 21 July 2026, Ravensthorpe Council Chambers
 - Tuesday 6pm, 18 August 2026, Ravensthorpe Council Chambers
 - Tuesday 6pm, 15 September 2026, Ravensthorpe Council Chambers
 - Tuesday 6pm, 20 October 2026, Ravensthorpe Council Chambers
 - Tuesday 6pm, 17 November 2026, Ravensthorpe Council Chambers
 - Tuesday 6pm, 15 December 2026, Ravensthorpe Council Chambers

COMMENT

5. It is recommended to return to holding OCM locations for 2026 only in Ravensthorpe utilising the fit for purpose Council Chambers including required audio-visual equipment. Special Council Meetings (SCMs), Annual Elector Meetings, and regular Corporate Discussion meetings will still be held at Ravensthorpe Council Chambers on dates as required. A date conflict has also arisen for the Tuesday 16 December 2025 OCM meeting. In addition to the 2026 OCM dates Council is asked to consider rescheduling the previously approved 16 December date to Monday 15 December 2025 6pm, Ravensthorpe Council Chambers.
6. In order to ensure local community engagement at other main local resident population centres such as Hopetoun and Munglinup, it is recommended to hold Council and Executive team community forum events during the 2026 calendar year, 3 in Hopetoun and 1 in Munglinup at agreed dates throughout the year.

CONSULTATION

7. Councillors and Executive Management Team.

STATUTORY ENVIRONMENT

8. Local Government Act s 5.25 (1)(G) (g) the giving of public notice of the date and agenda for council or committee meetings.
9. Local Government (Administration) Regulations 1996 Reg 12(1)(2)
- (1) In this regulation — meeting details, for a meeting, means the date and time when, and the place where, the meeting is to be held.
- (2) The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held
- (a) ordinary council meetings; Act 1995

POLICY IMPLICATIONS

10. Nil.

FINANCIAL IMPLICATIONS

11. Nil.

RISK MANAGEMENT

12. The following risks have been identified as a part of this report;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Operational Not meeting Local Government Act requirements by failing to confirm and advertise future OCM dates	Unlikely	Major	Moderate	Council to endorse the future OCM calendar for the 2026 year

ALTERNATE OPTIONS

13. Council may amend officer recommendations.

STRATEGIC ALIGNMENT

14. This item is relevant to the Councils approved Strategic Community Plan 2020-2030 and Corporate Business Plan 2020-2024.

Outcome 5: Governance and Leadership - The Shire of Ravensthorpe partners the community, and is an effective advocate and responsible steward

Item	Objectives and Strategies
5.2	The Council ensures its decisions are well informed and considered
5.7	Customer service and other corporate systems are of high quality

VOTING REQUIREMENTS

15. Simple Majority

AMENDED OFFICER RECOMMENDATION

CEO proposed an amendment to the officer recommendation to reschedule the 15 to 22 September 2026 due to a potential WALGA Conference date conflict.

That Council:

1. *ENDORSE the following dates and locations for Ordinary Council Meetings for the 2026 period;*
 - *Tuesday 6pm, 17 February 2026, Ravensthorpe Council Chambers*
 - *Tuesday 6pm, 17 March 2026, Ravensthorpe Council Chambers*
 - *Tuesday 6pm, 21 April 2026, Ravensthorpe Council Chambers*
 - *Tuesday 6pm, 19 May 2026, Ravensthorpe Council Chambers*
 - *Tuesday 6pm, 16 June 2026, Ravensthorpe Council Chambers*
 - *Tuesday 6pm, 21 July 2026, Ravensthorpe Council Chambers*
 - *Tuesday 6pm, 18 August 2026, Ravensthorpe Council Chambers*
 - *Tuesday 6pm, **22 September** 2026, Ravensthorpe Council Chambers*
 - *Tuesday 6pm, 20 October 2026, Ravensthorpe Council Chambers*
 - *Tuesday 6pm, 17 November 2026, Ravensthorpe Council Chambers*
 - *Tuesday 6pm, 15 December 2026, Ravensthorpe Council Chambers*
2. *APPROVE the rescheduling of the previously approved Tuesday 16 December 2025 OCM to Monday 15 December 2025, commencing 6pm at Ravensthorpe Council Chambers.*

The Officer recommendation was moved by Cr Auburn and seconded by Cr Leighton.

AMENDED MOTION

Cr Auburn moved and Cr Miloskeski seconded an amended motion that included changes to locations being March, May, August and November in Hopetoun, and June in Munglilup. This motion was lost 2/2.

AMENDED MOTION

Cr Auburn moved an amended motion that included changes to locations being March, August and November in Hopetoun, and June in Munglilup. A seconder was not received so motion fell away.

COUNCIL DECISION

Amended motion put by Cr Gibson and seconded by Cr Auburn Resolution #105/25

That Council:

1. **ENDORSE the following dates and locations for Ordinary Council Meetings for the 2026 period;**
 - **Tuesday 6pm, 17 February 2026, Ravensthorpe Council Chambers**
 - **Tuesday 6pm, 17 March 2026, Hopetoun Community Centre**
 - **Tuesday 6pm, 21 April 2026, Ravensthorpe Council Chambers**
 - **Tuesday 6pm, 19 May 2026, Ravensthorpe Council Chambers**
 - **Tuesday 6pm, 16 June 2026, Ravensthorpe Council Chambers**
 - **Tuesday 6pm, 21 July 2026, Ravensthorpe Council Chambers**
 - **Tuesday 6pm, 18 August 2026, Hopetoun Community Centre**
 - **Tuesday 6pm, 22 September 2026, Ravensthorpe Council Chambers**
 - **Tuesday 6pm, 20 October 2026, Ravensthorpe Council Chambers**
 - **Tuesday 6pm, 17 November 2026, Ravensthorpe Council Chambers**
 - **Tuesday 6pm, 15 December 2026, Ravensthorpe Council Chambers**

2. **APPROVE** the rescheduling of the previously approved Tuesday 16 December 2025 OCM to Monday 15 December 2025, commencing 6pm at Ravensthorpe Council Chambers.

Carried 4/0

12.2 COPORATE SERVICES

12.2.1 MONTHLY FINANCIAL REPORT – 31 OCTOBER 2025

File Reference:	N/A
Location:	Shire of Ravensthorpe
Applicant:	Nil
Author:	Executive Manager Corporate Services
Authorising Officer	Executive Manager Corporate Services
Date:	13 November 2025
Disclosure of Interest:	Nil
Attachments: 12.2.1	Monthly Financial Reports for 31 October 2025
Previous Reference:	Nil

PURPOSE

1. 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

2. Council is requested to review the October 2025 Monthly Financial Reports.

COMMENT

3. The October 2025 Monthly Financial Reports are presented for review.

CONSULTATION

4. Nil.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

6. Nil.

FINANCIAL IMPLICATIONS

7. All expenditure has been approved via adoption of the 2025/2026 Annual Budget, or resulting from a Council Motion for a budget amendment.

RISK MANAGEMENT

8. The following risks have been identified as a part of this report;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational	Rare	Insignificant	Very Low	That council receives the Financial Activity Statements as required by legislation.

ALTERNATE OPTIONS

9. Nil.

STRATEGIC ALIGNMENT

10. This item is relevant to the Councils approved Strategic Community Plan 2020-2030 and Corporate Business Plan 2020-2024.

Outcome 5: Governance and Leadership - The Shire of Ravensthorpe partners the community, and is an effective advocate and responsible steward

Item	Objectives and Strategies
5.5	The value of community owned assets is maintained
5.5.1	Assets renewals and upgrades are funded to the level required to maintain asset value and agreed service levels
5.5.2	Projects are well-planned planned and delivered on time and on budget, with effective and thorough risk management and reporting
5.6	Financial systems are effectively managed
5.6.1	Financial management and reporting systems are able to deliver on all administrative and management functions (including reporting), and long-term financial planning requirements

VOTING REQUIREMENTS

11. Simple Majority

COUNCIL DECISION:

Moved by Cr Leighton and seconded by Cr Auburn

Resolution #106/25

That Council:

RECEIVE the October 2025 Monthly Financial Reports as presented.

Carried 4/0

12.2.2 SCHEDULE OF ACCOUNT PAYMENTS – OCTOBER 2025

File Reference: GR.ME.8
Location: Shire of Ravensthorpe
Applicant: Shire of Ravensthorpe
Author: Finance Officer
Authorising Officer: Executive Manager Corporate Services
Date: 10 November 2025
Disclosure of Interest: Nil
Attachments: 12.2.2 Creditors List of Accounts Paid October 2025
 Credit Card Transactions to 01 October 2025
 Fuel Card Transactions October 2025
Previous Reference: Nil

PURPOSE

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

BACKGROUND

2. Period 01/10/2025 – 31/10/2025

2025-26						
Month	Cheques	EFT Pymts	Direct Debits	Credit Card	Total Creditors	Payroll
Jul	16,109	1,225,413	66,010	9,775	1,317,307	385,331
Aug	11,947	690,502	111,771	9,270	823,490	324,609
Sep	8,381	582,206	99,197	10,260	700,043	345,534
Oct	11,709	1,054,029	45,645	10,976	1,122,359	462,498
Nov	0	0			0	
Dec	0	0			0	
Jan	0	0			0	
Feb	0	0			0	
Mar	0	0			0	
Apr	0	0			0	
May	0	0			0	
Jun	0	0			0	
Total	48,145	3,552,150	322,622	40,281	3,963,199	1,517,971
23/24	186,555	12,324,178	1,020,367	106,440	13,637,540	4,948,850
22/23	114,562	12,445,050	943,431	81,842	13,584,885	4,162,759
21/22	109,610	11,455,728	1,217,128	101,107	12,883,572	4,057,812

COMMENT

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

CONSULTATION

- Accountant and Executive Manager Corporate Services

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

- Nil.

FINANCIAL IMPLICATIONS

- This item discloses Council's expenditure from Municipal funds which have been paid under delegated authority.

RISK MANAGEMENT

- The following risks have been identified as a part of this report;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational That Council does not receive the schedule of account payments	Rare	Insignificant	Very Low	That Council receives the schedule of account payments.

ALTERNATE OPTIONS

- Nil.

STRATEGIC ALIGNMENT

- This item is relevant to the Councils approved Strategic Community Plan 2020-2030 and Corporate Business Plan 2020-2024.

Outcome 1: Economy - The population is growing, in tandem with a thriving, resilient local economy

Item	Objectives and Strategies
1.1	To grow business and employment

Outcome 5: Governance and Leadership - The Shire of Ravensthorpe partners the community, and is an effective advocate and responsible steward

Item	Objectives and Strategies
5.2	The Council ensures its decisions are well informed and considered
5.3	The Council, with the support of the community, is an effective advocate for resources and facilities which support the vision for the future
5.6	Financial systems are effectively managed
5.7	Customer service and other corporate systems are of high quality

VOTING REQUIREMENTS

- Simple Majority

COUNCIL DECISION

Moved by Cr Auburn and seconded by Cr Miloseski

Resolution # 107/25

That Council, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996, the payment of accounts for the month of October 2025 be NOTED.

Carried 4/0

12.3 PROJECT AND REGULATORY SERVICES

12.3.1 BUILDING ENVELOPE VARIATION TO SUPPORT DEVELOPMENT APPLICATION FOR OUTBUILDING (SHED) – LOT 27 (15) WHALE BAY DRIVE, HOPETOUN

File Reference:	P25-38
Location:	LOT 27 (15) Whale Bay Drive, Hopetoun
Applicant:	R and T Miloseski
Author:	Planning Officer
Authorising Officer	Chief Executive Officer
Date:	29 October 2025
Disclosure of Interest:	Cr Robert Miloseski
Attachments: 12.3.1	Plans of Proposal
Previous Reference:	N/A

Cr Miloseski had declared a conflict of interest as being the landholder applicant where Cr Miloseski would leave the Chambers for this matter. This would result in insufficient Councillors to determine a quorum so the matter was laid on the table until a future date where a quorum could be achieved.

PURPOSE

1. For Council to consider a variation to a Building Envelope to support Development Application P25-38 for an Outbuilding (Shed) at Lot 27 (15) Whale Bay Drive, Hopetoun, which is located within the Whale Bay Rural Residential development.

BACKGROUND

2. The Shire of Ravensthorpe received Development Application P25-38 for an Outbuilding (Shed) at Lot 27(15) Whale Bay Drive, Hopetoun on 15 October 2025.
3. Due to the proposed outbuilding being located outside the current identified building envelope for the property, the applicant seeks approval to vary the building envelope to accommodate the outbuilding.
4. The proposed outbuilding is compliant with the criteria and requirements of the Local Planning Scheme and Local Planning Policies and associated legislation.
5. As per the relevant Local Planning Scheme provisions at the time the land was rezoned from Rural to Rural Conservation- now referred to as Rural Residential under Local Planning Scheme No.6 (LPS6), prescribed Building Envelopes were identified. The Local Planning Scheme also made allowance for a Building Envelope to be varied by the local government, if the proposed Building Envelope location is not detrimental to the landscape or the environment.

COMMENT

6. Lot 27 (15) Whale Bay Drive, Hopetoun is zoned Rural Residential with a lot size of 2 hectares. The property has been developed with a single house and associated infrastructure.
7. The proposal, through the siting of the outbuilding calls for variation to the current Building Envelope.
8. As part of the development of the existing single house, the Building Envelope initially prescribed was varied. An additional variation to the current Building Envelope is sought.
9. The LPS6 setback requirements for Rural Residential development, where a Building Envelope is not identified in LPS 6 require the following:
 - Front setback 20m.
 - Side and Rear setback 10m.

10. The original Building Envelope has been modified and there are no specific Scheme Provisions for the Whale Bay Rural Residential Development under LPS6. This variation is being assessed under the current setback requirements for Rural Residential Development.
11. As per the site plan (refer attachment 12.3.1), the varied Building Envelope seeks a front setback of 50.8m, a 10m side setback to the north, approximately 45m side boundary setback from the south and 90m setback from the rear boundary.
12. Within the building envelope, the outbuilding will be 52m from the front property boundary and 10m from the northern side boundary.
13. The outbuilding will be 9m x 9m, with a wall height of 3m and a ridge height of 3.793m. It will be steel construction with the colour matching the existing residence (i.e., "Monument Grey"). As per Local Planning Policy 3 Outbuildings (LPP3), an Outbuilding on Rural Residential Zoned land with a land area greater than 2ha is permitted with a wall height of up to 4.5m, ridge height 6m and maximum floor area of 250m². The setback requirements are as per the LPS 6. This proposal complies with LPS 6 and LPP 3, and a variation to LPP3 is not sought for approval of the outbuilding.
14. The Building Envelope variation and subsequent outbuilding location is setback 52.3m from the front boundary and a minimum of 10m from the side boundary to the north. It is the opinion of the Planning Officer, the proposed building envelope will not have a detrimental impact on the existing remnant vegetation, which was significantly impacted by a recent bushfire. The siting of the outbuilding 52.3m from the front property boundary and 10m from the side boundary will not impact on visual amenity in the locality.
15. In summary, the proposal seeks the following:
 - Council's support for a minor variation to the Building Envelope, which is in accordance with the setback provisions of LPS 6.
 - Approval for the outbuilding within the identified Building Envelope.
16. It is the position of Planning Officer; the Building Envelope variation and outbuilding should be approved subject to conditions.

CONSULTATION

17. Adjoining owner comment has not been sought, as the proposed variation to the Building Envelope reflects the setback provisions of LPS 6 and no concession to LPS6 and LPP3 are sought for the approval of the outbuilding.

STATUTORY ENVIRONMENT

18. Local Planning Scheme No. 6
19. The applicant has a right of review to the State Administrative Tribunal if aggrieved by any planning decision.
20. It should also be noted that pursuant to Section 211(1) of the Planning and Development Act 2005, a person aggrieved by the failure of a local government to enforce or implement effectively the observance of a local planning scheme may make representation to the Minister. If the Minister considers it appropriate to do so, representation may be referred to the State Administrative Tribunal for its report and recommendation. Following subsequent actions and recommendation by the SAT the Minister may order the local government to do all things considered necessary for enforcing the observance of the Scheme or any provisions of the Scheme.

POLICY IMPLICATIONS

21. Local Planning Policy No.3 - Outbuildings

FINANCIAL IMPLICATIONS

22. Application fees totalling \$147.00 were received as part of this application.

RISK MANAGEMENT

23. The following risks have been identified as a part of this report;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational	Rare	Insignificant	Very Low	Use of Outbuilding to be for domestic purposes only.
Environmental	Rare	Insignificant	Very Low	Consistency with decision making.

ALTERNATE OPTIONS

24. Council does not approve the variation.

STRATEGIC ALIGNMENT

25. This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2020 - 2030. Specifically, with respect to the Corporate Business Plan- Outcome 3: Built Environment, the proposal meets this as the development will be of high quality and contribute positively to the appearance of the town.

Outcome 3: Built Environment - The built environment is accessible, honours history and provides for the economic and social needs of residents, industry and visitors

Item	Objectives and Strategies
3.2	New development (including commercial) is of a high quality and contributes positively to the character and appearance of the town
3.3	The towns of the Shire have attractive streetscapes in keeping with local character
3.4	It is easy and safe to move around and in and out of the district

VOTING REQUIREMENTS

26. Simple Majority

OFFICER RECOMMENDATION

That Council APPROVE Development Application P25-38 for a Variation to a Building Envelope and Outbuilding (Shed) at Lot 27 (15) Whale Bay Drive, Hopetoun subject to the following conditions:

- 1. Development shall be carried out in full and fully implemented within the identified Building Envelope in accordance with the approved plans and details submitted with the planning application.**
- 2. During construction stage, adjoining lots are not to be disturbed without the prior written consent of the affected owner(s).**
- 3. The approved outbuilding(s) shall be used for purposes incidental and ancillary to the enjoyment of the dwelling on the land only, and shall not be used for human habitation, commercial or industrial uses without the express written permission of the Shire of Ravensthorpe.**
- 4. All stormwater and drainage run off from all roofed and impervious areas is to be retained on-site to the satisfaction of the Shire of Ravensthorpe.**

5. The provision of all services, including augmentation of existing services, necessary as a consequence of any proposed development shall be at the cost of the developer and at no cost to the Shire of Ravensthorpe.
6. The development hereby approved must not create community safety concerns, or otherwise adversely affect the amenity of the subject locality by reason of (or the appearance or emission of) smoke, fumes, noise, vibration, odour, vapour, dust, waste water, waste products or other pollutants.
7. The works involved in the implementation of the development must not cause sand drift and/or dust nuisance. In the event that the Shire of Ravensthorpe is aware of, or is made aware of, the existence of a dust problem, measures such as installation of sprinklers, use of water tanks, mulching, or other land management systems as appropriate may be required to be installed or implemented to prevent or control dust nuisance, and such measures shall be installed or implemented within the time and manner directed by the Shire of Ravensthorpe.
8. The proposed operations, during and after construction, are required to comply with the *Environmental Protection (Noise) Regulations 1997*.

And the following advice notes:

1. **THIS IS NOT A BUILDING PERMIT.** An application for a building permit is required to be submitted and approved by the Shire of Ravensthorpe prior to any works commencing on-site.
2. The development is to comply with the *Building Code of Australia, Building Act 2011, Building Regulations 2012* and the *Local Government Act 1995*.
3. It is the responsibility of the developer to search the title of the property to ascertain the presence of any easements and/or restrictive covenants that may apply.
4. It is the responsibility of the applicant to ensure that building setbacks correspond with the legal description of the land. This may necessitate re-surveying and re-pegging the site. The Shire of Ravensthorpe will take no responsibility for incorrectly located buildings.
5. The Shire of Ravensthorpe strongly recommends that the vehicle parking, manoeuvring and circulation areas be suitably constructed, sealed (asphalt, concrete or brick pavers), drained and thereafter maintained to facilitate access to the property and Outbuilding (Shed).
6. The Department of Water and Environment Regulation has prepared dust control guidelines for development sites, which outline the procedures for the preparation of dust management plans. Further information on the guidelines can be obtained from the Department of Water and Environment and Regulation's website www.dwer.wa.gov.au under air quality publications.

Moved: _____

Seconded: _____

Carried: ____/ ____

Cr Miloseski had declared a conflict of interest as being the landholder applicant where Cr Miloseski would leave the Chambers for this matter. This would result in insufficient Councillors to determine a quorum so the matter was laid on the table until a future date where a quorum could be achieved.

12.3.2 DEVELOPMENT APPLICATION – SIGNAGE – LOT 5 SOUTH COAST HIGHWAY,
RAVENSTHORPE

File Reference:	P25-40
Location:	LOT 5 South Coast Highway, Ravensthorpe
Applicant:	D and B McHarg
Author:	Planning Officer
Authorising Officer	Chief Executive Officer
Date:	4 November 2025
Disclosure of Interest:	None
Attachments: 12.3.2	Plans of Proposal
Previous Reference:	N/A

PURPOSE

1. For Council to consider Development Application P25-40 for an advertising sign for Yummylicious Candy Shack, at Lot 5 South Coast Highway, Ravensthorpe.

BACKGROUND

2. The Shire of Ravensthorpe received a Development Application P25-40 for an advertising sign for Yummylicious Candy Shack on Lot 5 South Coast Highway, Ravensthorpe.
3. As per the provisions of Local Planning Policy 2: Advertising Signs (LPP 2), this is being referred to Council as a variation to LPP2 is sought as the Development Application is to be determined by Council.

COMMENT

4. The proposed signs will be located on a privately held landholding zoned Rural under the Shire of Ravensthorpe Local Planning Scheme No.6.
5. The proposal calls for the installation of an advertising sign for the Yummylicious Candy Shack (refer attached) which is classified as a remote sign in accordance with LPP2.
6. A remote sign is a sign not located within or immediately adjacent to the business the sign relates.
7. The sign addresses the majority of Special Requirements for remote signs under LPP2, except the following:
8. "The sign is located not less than 140m of another remote sign where the speed limit of the adjacent road is 110km/h"
9. The proposed sign is within 140m of existing signs and the speed limit of the adjacent road (South Coast Highway) is 110km/h.
10. As the proposed sign will replace an existing sign (existing sign is blank), a variation to LPP2 is sought from Council to approve the proposed replacement sign within 140m of other remote signs -refer image of existing signage and location of proposed signage.



Lot 5 Sign

11. Advice was sought from Main Roads WA, to ensure the continued grouping of signs would not create a road traffic safety issue. Main Roads WA advised as the sign is on private property, and is replacing an existing sign, there are no road traffic safety concerns. Subject to Council approval, Main Roads WA will assess the sign application and make a final determination.
12. The proposal to replace the sign for the Yummylicious Candy Shack, within 140m of other signs on private landholding is a relatively minor variation to the provisions of LPP2. It is the position of the Planning Officer, as this application reflects an existing use and there are no safety concerns, as advised by Main Roads WA, the proposal should be approved subject to conditions.
13. This planning approval is valid for a period of 5 years to ensure that signage remains to a satisfactory standard and state of repair.

CONSULTATION

14. Main Roads Western Australia.

STATUTORY ENVIRONMENT

15. Local Planning Scheme No. 6
16. The applicant has a right of review to the State Administrative Tribunal if aggrieved by any planning decision.
17. It should also be noted that pursuant to Section 211(1) of the Planning and Development Act 2005, a person aggrieved by the failure of a local government to enforce or implement effectively the observance of a local planning scheme may make representation to the Minister. If the Minister considers it appropriate to do so, representation may be referred to the State Administrative Tribunal for its report and recommendation. Following subsequent actions and recommendation by the SAT the Minister may order the local government to do all things considered necessary for enforcing the observance of the Scheme or any provisions of the Scheme.

POLICY IMPLICATIONS

18. Local Planning Policy No.2 – Advertising Signs

FINANCIAL IMPLICATIONS

19. Application fees totalling \$147.00 were received as part of this application.

RISK MANAGEMENT

20. The following risks have been identified as a part of this report;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational	Rare	Insignificant	Very Low	Council advice note Main Roads WA support is required to replace existing signage.
Safety	Rare	Insignificant	Very Low	Consistency with decision making

ALTERNATE OPTIONS

21. Council does not approve the signage variation to LLP2.

STRATEGIC ALIGNMENT

22. This item is relevant to the Councils approved Strategic Community Plan 2020-2030 and Corporate Business Plan 2020-2030.

Outcome 1: Economy - The population is growing, in tandem with a thriving, resilient local economy

Item	Objectives and Strategies
1.1	To grow business and employment

VOTING REQUIREMENTS

23. Simple Majority

COUNCIL DECISION

Moved by Cr Miloseski and seconded by Cr Leighton

Resolution # 108/25

That Council **APPROVE** Development Application P25-40 for a signage at Lot 5 South Coast Highway, Ravensthorpe subject to the following conditions:

1. Development taking place in accordance with the approved plan.
2. The maximum height of the sign above Natural Ground Level is 3m and the maximum area is 4.5m².
3. The sign is to replace existing signage on the subject property only, as identified on the approved plans.
4. This approval is valid for a period of 5 years after which reapplication is required.
5. The sign shall be maintained as not to prejudicially affect the amenity of the locality by reason of appearance. Council reserves the right to rescind this approval given 21 day's notice, should the sign fall into a state of disrepair.

Carried 4/0

12.3.3 DEVELOPMENT APPLICATION – SIGNAGE – LOT 51 SOUTH COAST HIGHWAY,
RAVENSTHORPE

File Reference:	P25-41
Location:	LOT 51 South Coast Highway, Ravensthorpe
Applicant:	D and B McHarg
Author:	Planning Officer
Authorising Officer	Chief Executive Officer
Date:	30 October 2025
Disclosure of Interest:	None
Attachments: 12.3.3	Plans of Proposal
Previous Reference:	N/A

PURPOSE

1. For Council to consider Development Application P25-41 for an advertising sign for Yummylicious Candy Shack, at Lot 51 South Coast Highway, Ravensthorpe.

BACKGROUND

2. The Shire of Ravensthorpe received a Development Application P25-41 for an advertising sign for Yummylicious Candy Shack on Lot 51 South Coast Highway, Ravensthorpe.
3. As per the provisions of Local Planning Policy 2: Advertising Signs (LPP 2), this is being referred to Council as a variation to LPP2 is sought the Development Application is to be determined by Council.

COMMENT

4. The proposed sign will be located on a privately held landholding, zoned Rural under the Shire of Ravensthorpe Local Planning Scheme No.6.
5. The proposal calls for the installation of an advertising sign for the Yummylicious Candy Shack (refer attached), which is classified as a remote sign in accordance with LPP2.
6. A remote sign is a sign not located within or immediately adjacent to the business the sign relates.
7. The sign addresses the majority of Special Requirements for remote signs under LPP2, except the following:
8. *"The sign is located not less than 140m of another remote sign where the speed limit of the adjacent road is 110km/h"*
9. The proposed sign is within 140m of existing signs and the speed limit of the adjacent road (South Coast Highway) is 110km/h.
10. As the proposed sign will replace an existing sign (existing sign has been removed and comprises two upright poles), a variation to LPP2 is sought from Council to approve the proposed replacement sign within 140m of other remote signs -refer image below of existing signage and location of proposed signage.



Lot 51 Sign

11. Advice was sought from Main Roads WA, to ensure the continued grouping of signs would not create a road traffic safety issue. Main Roads WA advised as the signs are on private property, and they are replacing existing signs, there are no road traffic safety concerns. Subject to Council approval, Main Roads WA will assess the sign application and make a final determination.
12. The proposal to replace the sign for the Yummylicious Candy Shack, within 140m of other signs on private landholding is a relatively minor variation to the provisions of LPP2. It is the position of the Planning Officer, as this application reflects an existing use and there are no safety concerns as advised by Main Roads WA, the proposal should be approved subject to conditions.

CONSULTATION

13. Main Roads Western Australia.

STATUTORY ENVIRONMENT

14. Local Planning Scheme No. 6.
15. The applicant has a right of review to the State Administrative Tribunal if aggrieved by any planning decision.
16. It should also be noted that pursuant to Section 211(1) of the *Planning and Development Act 2005*, a person aggrieved by the failure of a local government to enforce or implement effectively the observance of a local planning scheme may make representation to the Minister. If the Minister considers it appropriate to do so, representation may be referred to the State Administrative Tribunal for its report and recommendation. Following subsequent actions and recommendation by the SAT the Minister may order the local government to do all things considered necessary for enforcing the observance of the Scheme or any provisions of the Scheme.

POLICY IMPLICATIONS

17. Local Planning Policy No.2 – Advertising Signs.

FINANCIAL IMPLICATIONS

18. Application fees totalling \$147.00 were received as part of this application.

RISK MANAGEMENT

19. The following risks have been identified as a part of this report;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational	Rare	Insignificant	Very Low	Council advice note Main Roads WA support is required to replace existing signage.
Safety	Rare	Significant	Very Low	Consistency with decision making

ALTERNATE OPTIONS

20. Council does not approve the signage variation to LLP2.

STRATEGIC ALIGNMENT

21. This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2020 - 2030.

Outcome 1: Economy - The population is growing, in tandem with a thriving, resilient local economy

Item	Objectives and Strategies
1.1	To grow business and employment

VOTING REQUIREMENTS

22. Simple Majority

COUNCIL DECISION

Moved by Auburn and seconded by Cr Leighton

Resolution # 109/25

That Council APPROVE Development Application P25-41 for a signage at Lot 51 South Coast Highway, Ravensthorpe, subject to the following conditions:

1. Development taking place in accordance with the approved plan.
2. The maximum height of the sign above Natural Ground Level is 3m and the maximum area is 4.5m².
3. The sign is to replace existing signage on the subject property only, as identified on the approved plans.
4. This approval is valid for a period of 5 years after which reapplication is required.
5. The sign shall be maintained as not to prejudicially affect the amenity of the locality by reason of appearance. Council reserves the right to rescind this approval given 21 days notice, should the sign fall into a state of disrepair.

Carried 4/0

12.3.4 CHANGE OF USE APPLICATION TO COMMUNITY PURPOSE FOR HOPETOUN YOUTH ART SPACE AT 2/99B TAMAR STREET, HOPETOUN

File Reference:	P25-44
Location:	LOT 2 (2/99b) Tamar Street, Hopetoun
Applicant:	Off2Site Projects
Author:	Planning Officer
Authorising Officer	Chief Executive Officer
Date:	4 November 2025
Disclosure of Interest:	Nil
Attachments: 12.3.4	Plans of Proposal
Previous Reference:	N/A

PURPOSE

1. For Council to consider an application for a Change in Use to Community Purpose at Lot 2 (2/99b) Tamar Street, Hopetoun (the site) within the Hopetoun Light Industrial Precinct.

BACKGROUND

1. The site comprises an existing warehouse style building in good repair with associated sealed car parking. The building shares a common wall with the "Hopetoun Gym". Access to the site is via a crossover on Tamar Street.
2. The Shire of Ravensthorpe received Development Application P25-44 to support a Change in Use Application for a Community Purpose and associated works to formalise the Hopetoun Youth Art Space's use for the site and to continue their provision of community services within the existing building.
3. The Shire of Ravensthorpe owns the site and currently lease the property to the Hopetoun Youth Art Space. The Shire purchased the site for the provision of a Community Purpose use in February 2025. Prior to the Shire's purchase, the site was privately owned and initially developed for Warehouse/Storage use.
4. Whilst the site is currently being used for community purposes, this application seeks to formalise the use of the site as a Community Purpose Use Class under the Shire of Ravensthorpe's Local Planning Scheme No.6 (LPS6) and enable the continued provision of community services and internal refurbishment of the existing building.
5. The Site is zoned "Light Industrial" under LPS6, with the previous use of the site being for Warehouse/Storage.
6. The Use Class, Community Purpose is a Discretionary (D) use under the Light Industrial zoning for the site. This means the Shire can exercise discretion to grant development approval for a Community Use in the Light Industrial Zoning. LPS6 definition of a Community Purpose use is as follows:

"community purpose means the use of premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit;"
7. As described by the applicant, The Hopeton Youth Art Space provides the following:

"...a safe, collaborative space for young people to create, explore, and connect. The venue includes multiple activity zones for table tennis, games, exercise, art, music, and performances."

8. As part of the application to formalise the Use Class of the site for Community Purpose, the applicant also seeks Shire approval for the continuation of services provided by the Hopetoun Youth Art Space and to also undertake works to refurbish the internal space within the existing building.
9. Within the Hopetoun Youth Art Space, the Hopetoun CRC currently provides activities and support five days a week for 12- 18-year olds. In addition to this, the Rave About Arts program provides an Artitude after school program 8 weeks of each term (i.e., 32 weeks) for children aged 6-12 and a full day music program on Mondays and a Visual Arts program on Tuesdays.
10. As illustrated by the attached plans, an internal refurbishment to support the expanded services will include the following:
 - Additional toilets
 - A new kitchen
 - A large permanent stage
 - A green room/soundproof music room
 - An expanded mezzanine floor for storage and a separate youth lounge
11. These additions will require separate building licence approval, subject to Council's support of this application.
12. The current and proposed hours of operation are between 7:00am - 7:00pm seven days a week. There will continue to be a monthly performance event which commences in the evening and generally finishes at midnight. During school hours, staff and volunteers use the building for planning, meetings and training.
13. On a daily basis, the occupancy for the site currently comprises between 1-4 staff- depending on demand and 1-15 youth participants per class. During performance events there may be up to 79 people on site. As part of this application, a maximum occupancy of 94 people is sought.
14. No additional car parking is proposed to be provided and there will be no change to signage, lighting and landscaping.

COMMENT

Use Class

15. Council is being asked to exercise discretion under LPS 6 to support the Community Purpose Use Class over the site, and to approve the existing community use on the site.
16. The Hopetoun Youth Art Space is an organisation which provides a premises for educational, social and recreational facilities. Given this, the use of the site meets the definition of Community Purpose, which can be supported subject to the Shire exercising its discretion under LPS6.

Refurbishment

17. The refurbishment of the building will not impact on the Use Class and the continued use of the building. Town Planning approval is not required for this; however, Building Approval will be required before the works can commence.

Car Parking

18. As per LPS6, the car parking requirement for a Community Purpose site is 1 bay per 4 persons. With the maximum occupancy proposed during special events this would require the provision of 24 car bays. However, in accordance with the standard operation for the site with up to 19 people on the premises, this equates to 5 car bays required - of which the majority will be used by staff.

19. The site has reciprocal rights of parking with the adjoining gym, which currently utilises up to 2 car bays during business hours.
20. The total number of bays provided for the site and adjoining gym is 11 bays. During standard operation there is the need for 7 car parking bays (i.e., 2 for the gym and 5 for the art space), leaving a surplus of 4 car parking bays.
21. During the monthly evening performances there will be a shortage of 13 car parking bays- assuming the gym is not being used during these performances. As part of determining this application Council, through LPS6, has the ability to undertake the following:
 - Request the provision of 13 additional parking bays or request the maximum occupancy for events be capped at 48 people.
 - Request a cash-in-lieu payment for the 13 carparking bay shortfall.
 - Permit a reduced number of carparking bays on site.
22. Clause 4.21.6 of LPS6 states where appropriate the local government may permit the required number of parking bays be accommodated within the adjoining road reserve.
23. As the Community Purpose use for the site has been operating for the past two years and any shortfall in parking has been accommodated within the adjoining road reserve without complaint, it is recommended Council permit the shortfall of carparking bays be provided within the road reserve adjacent to the site. In addition to this, as the site is within a Light Industrial zone and the times when there will be a shortfall of carparking are outside standard business hours, it is not expected there will be impact on car parking or traffic congestion for adjoining businesses.

Noise

24. The development is located in a Light Industrial Area. Any noise generated from music production or performances is unlikely to impact on adjoining businesses and is not considered a concern. Also, through the current use of the site for Community Purpose, there have been no noise complaints to date.

Landscaping

25. As part of the initial development of the site, landscaping was provided. Additional landscaping for the continued use of the site is not considered necessary.

Conclusion

26. In summary, the proposal seeks Council's support for the Use Class "Community Purpose" on the site, which will enable the continued use of the site by the Hopetoun Youth Art Space, with an associated relaxation in car parking.
27. It is the position of Planning Officer; the Community Purpose Use Class should be approved for the site and current use to continue with a relaxation of car parking, subject to conditions.

CONSULTATION

28. Adjoining owner comment has not been sought, as the proposed application is a continuation of an existing use and there has been no complaints from adjoining owners thus far.

STATUTORY ENVIRONMENT

29. Local Planning Scheme No. 6

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

31. It should also be noted that pursuant to Section 211(1) of the *Planning and Development Act 2005*, a person aggrieved by the failure of a local government to enforce or implement effectively the observance of a local planning scheme may make representation to the Minister. If the Minister considers it appropriate to do so, representation may be referred to the State Administrative Tribunal for its report and recommendation. Following subsequent actions and recommendation by the SAT the Minister may order the local government to do all things considered necessary for enforcing the observance of the Scheme or any provisions of the Scheme.

POLICY IMPLICATIONS

32. N/A

FINANCIAL IMPLICATIONS

33. Nil.

RISK MANAGEMENT

34. The following risks have been identified as a part of this report;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Environmental	Rare	Moderate	Very Low	Shortage of car parking provided. Mitigation in place through requirement to provide parking management plan
Reputational	Rare	Insignificant	Very Low	Consistency with decision making, given Shire owned building

ALTERNATE OPTIONS

35. Council do not approve the change in use.

STRATEGIC ALIGNMENT

36. This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2020-2030. Specifically, with respect to the Corporate Business Plan the proposal meets a number of community objectives and strategies as follows:

Outcome 2: Community - This is a safe and family-friendly community where people of all ages have access to services and facilities, and there is plenty to blow your socks off

Item	Objectives and Strategies
2.1	Social services and facilities are designed and delivered in a way that fits community needs and aspirations
2.4	People have access to attractive community facilities, activities and events which support activity and health, community involvement and enjoyment of life
2.5	Young people, older people and people with disability feel valued and have access to resources which provide opportunities for their development and enjoyment

VOTING REQUIREMENTS

37. Simple Majority

Following presentation by applicants during public question time, the CEO proposed an amendment to the Office Recommendation to include "subject to the outcome of grant funding applications" to point 4.

COUNCIL DECISION

Moved by Cr Leighton and seconded by Cr Miloseski

Resolution #110/25

That Council APPROVE the Change in Use to Community Purpose at Lot 2 (2/99b) Tamar Street, Hopetoun subject to the following conditions:

1. Any works required to implement the development expansion shall not commence until a suitable building permit application has been submitted and approved by the Shire.
2. The development hereby approved shall at all times comply with the definition of Community Purpose as provided in the Shire's Local Planning Scheme, as follows:
"community purpose means the use of premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit."
3. A parking management plan is to be submitted and approved by the Shire of Ravensthorpe prior to any events being held where the parking required will exceed parking provided.
4. The provision of all services, including augmentation of existing services, necessary as a consequence of any proposed development shall be at the cost of the developer and at no cost to the Shire of Ravensthorpe subject to the outcome of grant funding applications.
5. The proposed operations, during and after construction, are required to comply with the *Environmental Protection (Noise) Regulations 1997*.

And the following advice notes:

1. **THIS IS NOT A BUILDING PERMIT** for proposed internal works. An application for a building permit is required to be submitted and approved by the Shire of Ravensthorpe prior to any works commencing on-site.
2. The parking management plan is to provide the total anticipated shortfall of carparking and the location where this parking will be provided.
3. The development is to comply with the *Building Code of Australia, Building Act 2011, Building Regulations 2012* and the *Local Government Act 1995*.

Carried 4/0

13. MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

The CEO requested Council consider a confidential late item relating to CEO recruitment.

COUNCIL DECISION

Moved by Cr Auburn and seconded by Cr Miloseski
That Council consider the confidential late item.

Resolution # 111/25

Carried 4/0

COUNCIL DECISION

Moved by Cr Auburn and seconded by Cr Miloseski
That Council move behind closed doors to consider confidential late item.

Resolution # 112/25

Carried 4/0

The public gallery and Shire Officers left the Chambers at 6.34pm

CEO Matthew Bird declared an impartiality Declaration of Interest on this matter as current CEO.

COUNCIL DECISION

Moved by Cr Leighton and seconded by Cr Auburn
To suspend standing orders to discuss the matter.

Resolution # 113/25

Carried 4/0

Discussion on the late item was undertaken.

COUNCIL DECISION

Moved by Cr Auburn and seconded by Cr Leighton
To resume standing orders.

Resolution # 114/25

Carried 4/0

COUNCIL DECISION

Moved by Cr Auburn and seconded by Cr Leighton

Resolution # 115/25

That the officer recommendation as presented in confidential later item be endorsed.

Carried 4/0

COUNCIL DECISION

Moved by Cr Auburn and seconded by Cr Leighton
That Council return from behind closed doors.

Resolution # 116/25

Carried 4/0

The public gallery and Shire officers returned to the Chambers at 6.51pm.

15. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS

Nil.

16. CLOSURE

The Presiding Member declared the meeting closed at 6.51pm.

CONFIRMATION OF MINUTES

Signed by Shire President: Date: