MINUTES

for the Council Meeting held on

Thursday February 20, 2013

Commencing at 5.05 p.m.

In the Council Chambers, Ravensthorpe.

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, RAVENSTHORPE
ON 20 FEBRUARY 2013, COMMENCING AT 5.05PM

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Voting Requirements:
Simple majority

OFFICER RECOMMENDATION AND COUNCIL DECISION	ITEM 10.2.2
Moved: Cr Duncan	Seconded: Cr Kelton

That Council,

1. In pursuance of section 58 of the Land Administration Act 1997, support the permanent closure of the unconstructed portion of Gordon Road between Jubilee Road and South Coast Highway;
2. In pursuance of section 3.50 (1a) of the Local Government Act 1995, support the permanent closure of the eastern end of Jubilee Road to the passage of all vehicles;

Advocate with the Department of Lands for the sale of the unconstructed portion of Gordon Road free of cost to the adjoining landowner, Greenlight Pastoral Company Pty Ltd.

Carried: 6/0 Res: 16/14

10.2.3 DEDICATION OF THE HEAVY HAULAGE ROUTE - SECTION 3

File Ref:	RD.DC.4
Applicant:	Main Roads WA
Location:	North of Ravensthorpe town site
Disclosure of Officer Interest:	Nil
Date:	5 February, 2014
Author:	Craig Pursey, Planning Officer
Authorising Officer:	Pascoe Durtanovich – Chief Executive Officer
Attachments:	Yes - Heavy Haulage Route plans

Summary:
Main Roads WA has requested that the Shire of Ravensthorpe agree to dedicate Section 3 of the heavy haulage route road reserve alignment as per the requirements of the Land Administration Act 1997.

Background:
Council considered the dedication of sections 1 & 2 of the proposed heavy haulage route (HHR) at their meeting in November 2013 where it was resolved to:

"That Council,

1. In pursuance of section 56 of the Land Administration Act 1997, support the dedication of the land required for the Ravensthorpe heavy haulage route as a road, as shown on *the following Main Roads' Drawings:*
   a) 201301-532 to 201301-538 inclusive
   b) Part plan 201301-540; and
   c) 201301-341 to 201301-544 inclusive.

2. That Council not support the dedication of the land required for the linkage between the Ravensthorpe Heavy Haulage Route and Queen Street as shown on the following *Main Roads' Drawings:*
   a) Part plan 201301-540; and
   b) 201301-539

3. Council support access off the Heavy Haulage Road to South Coast Highway via Floater Road."

The portion of the proposed HHR requested for dedication this month is at the eastern end of the proposed route and is the final request.

Comment:
Council has received a request from Main Roads WA to consider the alignment of Section 3 of the proposed HHR and if supportive, dedicate the alignment of the road as a road reserve under the land Administration Act 1997.

The dedication would involve the full resumption of Lot 250 Coleman Road, owned by Ian and Susanne Small. This is required as the existing house on this site is located in the low point of the immediate area and is planned as a detention basin in the drainage design for the HHR.

Main Roads WA and crown solicitors are currently negotiating with the landowners.

The road dedication will affect a small portion of the equestrian centre, some fencing will need to be relocated and take a portion of the golf course reserve. However, the closest tee on the course will be unaffected.

Main Roads WA has stated that they will indemnify Council against all costs and charges that relate to the dedication action.

Consultation:
Main Roads WA and the Shire have consulted widely with the broader community and affected landowners to reach this point.

Statutory Obligations:
The dedication of roads takes place under Section 56 of the land Administration Act 1997.

Policy Implications:
Nil

Budget / Financial Implications:
Nil
Strategic Implications:
Nil

Sustainability Implications:

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

Voting Requirements:
Simple majority

OFFICER RECOMMENDATION AND COUNCIL DECISION	ITEM 10.2.3
Moved: Cr Norman	Seconded: Cr Duncan

That Council,

1. In pursuance of section 56 of the Land Administration Act 1997, support the dedication of the land required for the Section 3 of the Ravensthorpe heavy haulage route as a road, as shaded on Main Roads' Drawings 201301-545 to 201301-551 inclusive.
2. That a copy of these minutes be provided to State Land Services in support of the road dedication.

Carried: 6/0 Res: 17/14

10.2.4 REQUEST FOR IN-PRINCIPLE SUPPORT FOR SCHEME AMENDMENT

File Ref:	A1554
Applicant:	Ravensthorpe Hopetoun Future Fund
Location:	Lot 168 (#96) Maitland Street, Hopetoun
Disclosure of Officer Interest:	Nil
Date:	5 February 2014
Author:	Craig Pursey, Planning Officer
Authorising Officer:	Pascoe Durtanovich – Chief Executive Officer
Attachments:	None

Summary:
Council is asked to consider in-principle support for a Scheme Amendment to change the zoning of the Maitland Street local shops from Special Use site No.15 to the 'Residential' zone.

Justification for the proposal includes the lack of demand for commercial floor space in this location over a number of years and that commercial land use should be concentrated in the 'Town Centre'.
This report recommends that the request be supported in-principle subject retail modelling being prepared by a suitably qualified professional examining the demand for commercial floor space for Hopetoun.

Background:
Council has received a request for preliminary support from the Ravensthorpe Hopetoun Future Fund for an Amendment to Town Planning Scheme No.5 in respect of Lot 168 Maitland Street, Hopetoun. The purpose of the request is to ascertain Council's willingness to entertain rezoning Lot 168 prior to undertaking the relatively costly amendment preparation process.

Background & Zoning

Lot 168 Maitland Street, Hopetoun, (Lot 168) is 2019m^2 in area, developed with a mixed use development and fronts both Maitland Street and Canning Boulevard. There are five ground

floor commercial tenancies and with four separate residential tenancies above serviced by 23 parking bays. Only two commercial and two residential tenancies are occupied.

Lot 168 is zoned 'Special Use' site No.15 in the Shire of Ravensthorpe Town Planning Scheme No5 (the Scheme). Special Use zones apply to special categories of land use which do not sit comfortably within any other zone in the Scheme.

The Scheme describes Special Use site No.15 as follows:

"Local Centre with the following uses and level of permissibility as provided by clause 4.3.2 of this Scheme:

Shop (P), Consulting Rooms (D), Family Day Care (D), Childcare Premises (D), Laundrobar (D), Medical Centre (A), Fast Food Outlet (A), Liquor Store (A), Restaurant (A).

Residential Development (R30) will only be permitted as an ancillary use"

The conditions of approval are:

"Prior to any development being approved on the site, an overall concept plan shall be prepared to the satisfaction of Council."

Past Approvals

Council has issued planning approvals and building permits as follows:

1. Five commercial ground floor tenancies and four first floor residential units in July 2007;
2. Conversion of tenancy 1A to a café in September 2008.

Local Planning Strategy

Lot 168 is identified as a "Local Centre" in the Hopetoun Development Area Outline Development Plan; this is a guiding document for the Mary Anne Waters estate.

The Local Planning Strategy does not specifically identify this site but does recommend concentrating commercial development in Veal Street.

Comment:

Proposal

It is proposed that the entire site would be zoned 'Residential R40' and the ground floor commercial tenancies converted to residential units.

There is adequate parking on site to support the residential densities proposed. There has not been demand and there is no demand envisioned for the commercial tenancies.

There is demand for one and two bedroom units in Hopetoun.

Assessment

In favour of the proposal are the following considerations:

- There has been no consistent demand for the commercial tenancies and many businesses over the past 5 years have proven to be unviable in this location.
- The Local Planning Strategy supports the concentration of commercial and entertainment activity into the Town Centre zone, in Veal Street. The Town Centre services both town and a wider catchment and is central to the entire Hopetoun community. It needs to be

given every chance to succeed to the benefit of the entire district. It can be argued that there is not the population to support two commercial areas and that the two may work against each other.

- Lot 168 was zoned and built when Hopetoun was experiencing a boom with the opening of the BHP copper mine. It was anticipated that the entire Mary Anne Waters estate would be fully developed and all housing and units would be fully occupied providing a reasonably large walking catchment for the Maitland Street Local Shops. However, since the closure of the mine and its more modest reopening it does not appear there is a sustainable population to support the local shopping area.

On the other hand, the intention at the time of developing Mary Anne Waters was to provide local shopping opportunities within walking distance of residences. This is sound planning practice and is consistent with the recommendations of 'Liveable Neighbourhood' sustainable design principles advocated by the Western Australian Planning Commission.

Additionally, people may have bought into the area with the expectation that there would be local shops (or the potential for local shops) within walking distance of their house.

Therefore, any scheme amendment documentation should provide evidence that the existing and projected population of Hopetoun cannot sustain both the Maitland Street Local Shops and the Veal Street Town Centre.

In conclusion, the proposal has some merit. The existing development clearly is not viable and has the potential to dilute commercial land use away from the Town Centre. However, if a scheme amendment is supported in principle then the scheme amendment documentation should include retail modelling proving that the commercial floor space at Lot 168 is not required not or into the future.

Consultation:
Should the Council support the proposal then all scheme amendments undergo referral to the Department of Planning, Environmental Protection Authority and all affected government agencies as part of the standard process.

Statutory Obligations:
The current proposal is a request for support in-principle only and any response from Council is considered to be advice only.

Should the applicant choose to lodge a scheme amendment application then there is no right of appeal if Council chooses not to initiate the amendment.

Policy Implications:
Nil

Budget / Financial Implications:
There are no direct financial implications resulting from the recommendations of this report.

Strategic Implications:
As discussed in the body of the report.

Sustainability Implications:

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