

MINUTES

of the Council Meeting held on

Thursday 21 June 2012
commencing at 5 p.m.

in the Council Chambers, Ravensthorpe .

**ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, RAVENSTHORPE
ON 21JUNE 2012, COMMENCING AT 5PM**

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

5 pm – The Presiding Person, Cr Ian Goldfinch, opened the meeting.

2. ATTENDANCE / APOLOGIES/ APPROVED LEAVE OF ABSENCE

MEMBERS: Cr Ian Goldfinch (Shire President)
Cr Keith Dunlop (Deputy Shire President)
Cr Don Lansdown
Cr Jan Field
Cr Ken Norman
Cr Andrew Duncan

STAFF: Pascoe Durtanovich (Chief Executive Officer)
Darryn Watkins (Manager Engineering Services)
Jenny Rutter (Executive Assistant)

APOLOGIES: Cr Julianne Townsend

ON LEAVE OF ABSENCE:
Nil

ABSENT:

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME**4.1 Mrs Ruth Kirchner – Re: Item 10.4.2**

Expressed concern that the Chief Executive Officer had acted on decisions made by the Board of the Ravensthorpe Hopetoun Future Fund at its meeting of 8 May, 2012 before the minutes were confirmed by the Board. Mrs Kirchner referred particularly to the item concerning amendments to the RHFF Trust Deed.

The Chief Executive Officer responded advising that there is no requirement to defer actioning Board decisions until the minutes are confirmed and further it is unknown when the next Board meeting will be.

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

Cr Goldfinch	Impartiality	Item 10.4.2
Pascoe Durtanovich	Impartiality	Item 10.4.2

6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

Nil

7. CONFIRMATION OF MINUTES**7.1 Council Meeting – 18 June, 2012**

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 7.1
Moved: Cr Dunlop	Seconded: Cr Duncan
That the minutes of the meeting of Council held on 18 June, 2012 be confirmed as a true and correct record of proceedings.	
Carried: 6/0	Res: 111/12

8. SUSPENSION OF STANDING ORDERS

Nil

9. ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS

Nil

10. REPORTS OF OFFICERS**10.1 Deputy Chief Executive Officer****10.1.1 MONTHLY FINANCIAL REPORT – 31ST MAY 2012****File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 11th June 2012**Author:** Brent Bailey – Deputy Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:** Monthly Financial Statements – 31st May 2012**Summary:**

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

Background:

As per the Financial Management Regulation 34 each Local Government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1) (d), for that month with the following detail

- The annual budget estimates,
- The operating revenue, operating income, and all other income and expenses,
- Any significant variations between year to date income and expenditure and the relevant budget provisions to the end of the relevant reporting period,
- Identify any significant areas where activities are not in accordance with budget estimates for the relevant reporting period,

- Provide likely financial projections to 30 June for those highlighted significant variations and their effect on the end of year result,
- Include an operating statement, and
- Any other required supporting notes.

Comment:

This report contains annual budget estimates, actual amounts of expenditure, revenue and income to the end of the month. It shows the material differences between the budget and actual amounts where they are not associated to timing differences for the purpose of keeping Council abreast of the current financial position.

Consultation:

Council Financial Records

Statutory Obligations:

Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996 require that financial activity statement reports are provided each month reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d) for that month.

The report is to be presented at either the next ordinary meeting after the end of the month, or if not prepared in time to the next ordinary meeting after that meeting.

Policy Implications:

Nil

Budget / Financial Implications:

As detailed within the attachments

Strategic Implications:

Nil

Sustainability Implications:

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

Voting Requirements:

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.1.1
Moved: Cr Duncan	Seconded: Cr Dunlop
That Council receive the Monthly Financial Report for the period ending 31 st May 2012 in accordance with Section 6.4 of the Local Government Act 1995.	
Carried: 6/0	Res: 112/12

10.1.2 SCHEDULE OF ACCOUNT PAYMENTS – MAY 2012

File Ref:

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	31/05/2012
Author:	Tahnee Gairen- Accounts Payable
Authorising Officer:	Brent Bailey – Deputy Chief Executive Officer
Attachments:	Schedule of Payments to 31 st May 2012

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:

FUND	PAYMENT	VOUCHERS	AMOUNTS
Municipal Account	EFT and Bank Fees	EFT270-EFT393 939-939	\$53,8772.92 \$447.84
	Cheque	37271-37406	\$120,583.25
Municipal Account Total			\$659,804.01
	Trust EFT	355-358 393 322-324 305-315	\$33760.95
	Trust Cheque	982-1118	\$1060.00
Trust Account Payments			\$34,820.95
			<u>\$694,624.96</u>

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:

Not applicable.

Statutory Obligations:

Local Government (Financial Management) Regulations 1996

13. Lists of accounts

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —

- (a) the payee's name;
- (b) the amount of the payment;
- (c) the date of the payment; and
- (d) sufficient information to identify the transaction.

(2) A list of accounts for approval to be paid is to be prepared each month showing —

- (a) for each account which requires council authorisation in that month —
 - (i) the payee's name;
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction; and
- (b) the date of the meeting of the council to which the list is to be presented.

(3) A list prepared under subregulation (1) or (2) is to be —

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
- (b) recorded in the minutes of that meeting.

Policy Implications:

Nil

Budget / Financial Implications:

This item address Council's expenditure from Trust and Municipal funds which have been paid under delegated authority.

Strategic Implications:

Nil

Sustainability Implications:

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

Voting Requirements:

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.1.2
Moved: Cr Lansdown	Seconded: Cr Field
That pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996, the payment of accounts for the month of May 2012, be noted.	
Carried: 6/0	Res: 113/12

10.2 Manager of Planning and Development

10.2.1 APPLICATION FOR PLANNING APPROVAL FOR A WIND TURBINE (USE NOT LISTED) AT LOT 507 DAVESIA DRIVE, HOPETOUN

File Ref:	13.0.0.DAV006
Applicant:	Mr Barrie Greenhalgh (landowner)
Location:	Lot 507 (6) Daviesia Drive, Hopetoun
Disclosure of Officer Interest:	None
Date:	8 June 2012
Author:	Craig Pursey, Planning Officer
Authorising Officer:	Pascoe Durtanovich - CEO
Attachments:	Application Plans

Summary:

Council is asked to consider a development application for a wind turbine (use not listed) under the Shire of Ravensthorpe Town Planning Scheme No.5 (the Scheme) at Lot 507 (6) Daviesia Drive, Hopetoun.

The Scheme requires an application for a use not listed under the Scheme to be advertised for public comment and then reported to full Council for determination.

The application is recommended for conditional approval.

Background:

Site Description

Lot 507 Daviesia Drive, Hopetoun is 4.88ha in area and located on the corner of Daviesia Drive and the Hopetoun-Ravensthorpe Road. The site is developed with a single house.

Zoning

Lot 507 is zoned 'Rural Small Holdings area No.3' under the Shire of Ravensthorpe Town Planning Scheme No.5'. All development in this zone requires planning approval.

Comment:

Application

Council is requested to consider an application for a domestic wind turbine at Lot 507 Daviesia Drive, Hopetoun. The proposal consists of a 9m high mast, stays and a three blade turbine and hub attached to the top of the mast.

The wind turbine is proposed to be located 15m from Daviesia Drive and 50m from the Hopetoun-Ravensthorpe Road in front of the existing house.

Scheme Requirements

There is not a use class for 'wind turbine' or 'on-site energy generation' proposals in the Zoning Table, nor is there a definition for the term under Schedule 1 of the Scheme.

Clause 4.2.2 of Part 4 of the Scheme, however, determines that:

“If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may:

- a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted; or*
- b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or*
- c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.”*

The objective of the Rural Small Holdings zone is: *“This zone is for rural lots used for residential purposes in conjunction with a rural pursuit such as hobby farming or keeping animals.”*

The wind turbine was considered under delegated authority to be consistent with the objective for the zone on the grounds that a domestic scale wind turbine could be considered to be a ‘normal’ part of a residential land use.

The Scheme sets out set backs for all development in the zone. These are:

- 25m from Daviesia Drive frontage
- 50m from Hopetoun- Ravensthorpe Road

Therefore, if supported, a condition of planning approval requiring a 25m setback to Daviesia Drive frontage is recommended.

The proposed turbine has been referred to adjoining landowners for comment in accordance with part b of the above mentioned clause.

A building permit is also required to be issued prior to commencement of development as the mast and wind turbine are considered to be a Class 10B structure in the Building Code of Australia.

Assessment

Past Example

Council has considered one other wind turbine in the recent past; in June 2008 a 12m high turbine was approved at Cambewarra Drive, Hopetoun. In approving this turbine Council considered issues of noise and visual amenity.

Scheme Considerations

Part 10.2 of the Scheme lists matters to be considered by Council in making a determination of any development application. The relevant parts of this clause used in the assessment of the current application can be summarised as amenity and noise concerns, the relevant clauses are replicated below:

Visual Amenity clauses:

- j) the compatibility of a use or development with its setting; and*
- o) the preservation of the amenity of the locality;*

- p) *the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;*

Noise

- m) *the likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment;*

Visual impact of the structure on the environs

The central hub of the turbine will be a 9m above the natural ground level and will hence be visible from several properties surrounding the site and from passing traffic on the Hopetoun-Ravensthorpe Road.

Whether a wind turbine is 'attractive or not' is subjective. It could be argued that they are increasingly expected in residential and rural residential areas.

It should be noted that the wind turbine in this proposal is significantly smaller than Horizon Power's turbines located at Lot 6382 Hopetoun. It is therefore expected not to have a significant impact on the surrounding area.

Noise emitted by mechanical parts of the wind turbine

The turbine will be located approximately 60m from the nearest possible adjoining residence.

The proponent has stated that the working noise level of the turbine is 29.5 dB. All development is required to meet the requirements of the Environmental Protection (Noise) Regulations 1997. These set noise limit of 35dB at the boundary of a property. It appears that the turbine will meet these requirements.

The other factor to be mindful of is that the turbine continues to meet the requirements of these guidelines over time as the turbine ages.

It is recommended a footnote be placed on any planning approval reminding the proponent of the ongoing requirement to comply with these guidelines. A foot note is recommended as compliance with the Noise Regulations is mandatory and enforced under the Regulations; a footnote simply reminds the applicant of this requirement.

Conclusion

The proposed wind turbine is to be assessed as a 'use not listed' against Town Planning Scheme No.5. The turbine could be considered to be considered within the objectives for the 'Rural Conservation' Zone.

Approval is recommended subject to ongoing compliance with the Environmental Protection (Noise) Regulations 1997 and the turbine being set back a minimum of 25m from Daviesia Drive frontage of the property.

A conditional Planning Approval is recommended.

Consultation:

The application was referred to the neighbouring property owners for comment, closing on the 21 June. No submissions were received at the time of writing this report. If any submissions are received in the meantime they will be presented to Council at the meeting and an alternative recommendation proposed as required.

Statutory Obligations:

The Shire of Ravensthorpe Town Planning Scheme No.5 is an operative local planning scheme under the Planning and Development Act 2005.

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

Policy Implications:

Council has no relevant local planning policy.

Budget / Financial Implications:

None for the Shire.

Strategic Implications:

Nil

Sustainability Implications:

- **Environmental:**

The slight reduction in reliance on the local power grid may have some small benefits for the Shire generally. A high profile example of alternative energy in the region may assist in promoting greater use of alternative energy sources to the benefit of the region..

- **Economic:**

There are no known significant economic considerations.

- **Social:**

There are no known significant social considerations.

Voting Requirements:

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.2.1
Moved: Cr Field	Seconded: Cr Duncan
That Council,	
A. Approve the application for a wind turbine Lot 507 Daviesia Drive, Hopetoun subject to the following conditions:	
1. The turbine and mast be setback from the boundary to the Hopetoun-Ravensthorpe Road a minimum distance of 50m.	
2. The turbine and mast be setback from the boundary to Daviesia Drive a minimum distance of 25m.	
3. The mast shall not exceed 9m in height.	
B. Apply a footnote to the approval requiring ongoing compliance with the Environmental Protection (Noise) Regulations 1997	
Carried: 6/0	Res: 114/12

10.2.2 PROPOSED ROAD RESERVE CLOSURE – PORTION CATTLIN ROAD, RAVENSTHORPE

File Ref:	14.0.4
Applicant:	
Location:	Portion of Cattlin Street road reserve, Ravensthorpe
Disclosure of Officer Interest:	None
Date:	11 June 2012
Author:	Craig Pursey, Planning Officer
Authorising Officer:	Pascoe Durtanovich - CEO
Attachments:	Yes – Locality Plan

Summary:

Council resolved to close the undeveloped portions of Cattlin Road, Ravensthorpe at a meeting in April 2007. The proposal was not advertised for public comment at the time; the Department of Regional Lands and Development have requested that the process be completed.

The road reserve closure was advertised for public comment during which time no submissions were received from relevant government agencies.

It is recommended that Council resolve to close the portion of road reserve subject to all costs being borne by the Department of Environment and Conservation (who requested the closure).

Background:

Council resolved to dedicate a new road linking Hosking Street to Cattlin Road at its meeting of 17th November 2005. This process is almost complete, awaiting resolution of the proposed road closure described below.

As part of the road dedication process, the Department of Environment and Conservation (DEC) requested that the unused portions of Cattlin Street road reserve be closed and amalgamated with the surrounding unallocated crown land. Council considered this road closure at its meeting of 19th April 2007 where it resolved:

1. *“That in pursuance of section 58 of the Land Administration Act 1997, the unconstructed portion of Cattlin Road (Road 1267) between Hosking Street and Cattlin Road and Edwards Street (Road 3238) be proposed for permanent closure and inclusion into the Unallocated Crown Land and that the necessary consultation take place prior to the matter being finally determined.*
2. *That the Department of Environment and Conservation pay for all costs of transferring the road reserve to UCL.”*

Consultation:

The proposed road reserve closure was advertised for public comment closing on the 11 May 2012 to adjoining landowners and relevant government agencies that may have infrastructure in the reserves.

No submissions were received.

Comment:

No submissions were received during public advertising, the road reserve is not required to provide access or for public infrastructure. The closure of the road reserves is recommended.

The process was initiated by the DEC. It is recommended that the original resolution of Council be reiterated that all costs are to be borne by the DEC.

Statutory Obligations:

Road closures are undertaken in accordance with section 58 of the Land Administration Act 1997. Council is required to publically advertise the proposed closure and obtain comments of affected service agencies and any surrounding landowners.

Policy Implications:

Nil

Budget / Financial Implications:

All costs associated with advertising the closures are to be met by the DEC.

Strategic Implications:

Nil

Sustainability Implications:

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

Voting Requirements:

Simple majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.2.2
Moved: Cr Lansdown	Seconded: Cr Dunlop
That Council,	
<ol style="list-style-type: none"> 1. In pursuance of section 58 of the Land Administration Act 1997, support the permanent closure and inclusion into the Unallocated Crown Land of the unconstructed portion of Cattlin Road (Road 1267) between Hosking Street and Cattlin Road and Edwards Street (Road 3238); and 2. That the Department of Environment and Conservation pay for all costs of transferring the road reserve to UCL. 	
Carried: 6/0	Res: 115/12

10.2.3 MINISTER'S DETERMINATION OF SCHEME AMENDMENT NO.27

File Ref:	14.4.5.27
Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	11 June 2012
Author:	Craig Pursey, Planning Officer
Authorising Officer:	Pascoe Durtanovich - CEO
Attachments:	Minister for Planning's Schedule of Modifications Scheme Amendment process summary

Summary:

Council resolved to adopt Scheme Amendment 27 for final adoption in October 2011. This amendment effectively removed residential land uses from the Town Centre zone, with the exception of:

- A caretakers residence located at the rear of the property; and/or
- Multiple Dwellings located above a commercial land use.

This recommendation was forwarded to the Western Australian Planning Commission and the Minister for Planning for final approval and gazettal.

The Minister has decided to make substantial modifications to the Amendment including retaining the residential land uses in the Town Centre zone and instead recommending that their control is through the use of a local planning policy.

The Minister's decision is final; there is no right of appeal. This report recommends that the Council note the Minister's modifications and that the Planning Officer be directed to prepare a local planning policy to guide residential development in the 'Town Centre' zone and present it to the August meeting of Council.

Background:

Council initiated Amendment No. 27 to its Town Planning Scheme No.5 on 24th February 2011 (Resolution 21/11).

The intention of the rezoning was to recognise that land in the town centre is finite and should be used primarily for commercial purposes. As a result most residential land uses were recommended to be removed from the Town Centre zone.

The Amendment was referred to the Environmental Protection Authority (EPA) who advised that no environmental assessment is required on the 2 May 2011. The amendment was then placed on public advertising until the 22 August 2012.

During this time 10 submissions were received, 7 from landowners and 3 from government agencies. Council resolved to note and dismiss most of the submissions and resolved to support the Amendment for final approval at their meeting in October 2012.

The Amendment was forwarded to the WAPC for final approval on the 21 October 2011.

Comment:**Minister's determination**

Once an Amendment is granted final approval by the Council it is forwarded to the Western Australian Planning Commission (WAPC) and Minister for Planning who assess the Amendment and determine if the submissions have been adequately addressed by Council. A summary of the full scheme amendment process is at Attachment B.

In this case, the Minister has determined that many of the submissions have merit and that modifications are required to the Amendment including:

- The retention of most residential land uses (such as aged persons dwelling, grouped dwelling & single house) in the 'Town Centre' zone;
- That residential land uses should be controlled through a local planning policy rather than via removal from the Scheme;

The Minister agreed to:

- Remove 'residential dwelling', 'second hand transportable' and 'Industry-Light' from the 'Town Centre' zone,
- Make 'Caretakers Dwelling' a land use that is incidental to a commercial land use;
- Restrict the size of caretaker's dwellings.

The Minister advises that the local government should prepare a local planning policy to guide further residential development within the 'Town Centre' zone as the appropriate planning mechanism to achieve its aims to restrict the non-commercial use of land in the 'Town Centre' zone.

A copy of the Minister's determination is at Attachment A.

Discussion

Discussions with the Planning Officers at the Department of Planning have provided the following reasons for the modifications:

- The rationale of making a majority of uses "X" (non-permitted uses) under the zoning table is not considered the best approach to create viable, vibrant town centres with a consistent streetscape. Residential land uses support a town centre and provide additional population within walking distance to the town centre.
- If approved, TPS 5 would be the only scheme operating in Western Australia with a number of commercial uses (including home business, bed and breakfast and industry-cottage) being listed as "X" uses within a 'Town Centre' zone and this would not see the most effective long term use of the land.
- The amendment as proposed by the Shire will create contentious issues relating to non-conforming uses.

There is no right of appeal to a Minister's determination of a scheme amendment. Therefore, to achieve Council's goals of restricting residential land use in the 'Town Centre' zone a local planning policy is seen as the appropriate planning tool.

The Shire already has a draft policy, "Hopetoun Main Street Design Guidelines" that may be used as the basis for a future policy.

Statutory Obligations:

The Minister has directed Council to make the modifications to the Amendment documents and return them to the Minister within 42 days.

Following this the Amendment will be formally gazetted.

Policy Implications:

This report recommends that the Planning Officer draft a local planning policy to address residential development in the 'Town Centre' zone and present this to Council by the August 2012 meeting.

Budget / Financial Implications:

Nil

Strategic Implications:

The Amendment is primarily concerned with securing land for future commercial development in the Shire's townsites. Additionally, the prevention of residential land uses will assist in creating viable, vibrant town centres with a consistent streetscape.

This remains a valid planning objective; the Minister has required that it be achieved through the development of a local planning policy rather than through a scheme amendment.

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 DECISION AND OFFICER RECOMMENDATION	ITEM 10.2.3
Moved: Cr Duncan	Seconded: Cr Lansdown
That Council:	
<ol style="list-style-type: none"> 1. Note the Minister for Planning's decision requiring modifications to Scheme Amendment 27; and 2. Require the Manager Planning and Development to prepare and present a local planning policy guiding residential development in the 'Town Centre' zone to the August 2012 meeting of Council. 	
Carried: 6/0	Res: 116/12

10.2.4 MANAGEMENT OF RESERVE 17880

File Ref:	7.4
Applicant:	
Owners:	Crown Land
Disclosure of Officer Interest:	None
Date:	11 June 2012
Author:	Craig Pursey, Planning Officer
Authorising Officer:	Pascoe Durtanovich – Chief Executive Officer
Attachments:	Yes – Locality plan

Summary

The Department of Environment and Conservation (DEC) has requested the Shire's support for it to assume management over Reserve 17880.

The Department of Water is the current manager and no longer requires the reserve.

The DEC want management of the reserve to help protect the quality vegetation and threatened flora and fauna.

It is recommended that the Shire raise no objection.

Background

Reserve 17880 is located to the north of the Ravensthorpe townsite and is bisected by Floater Road. The reserve is 733ha in area and is covered in remnant vegetation. There is a partially rehabilitated gravel pit on the site and an unnamed track running diagonally through the reserve.

Comment

The DEC state that they wish to manage the reserve as an unclassified Nature Reserve in order to assist in protecting the 3 priority flora on the site as well as potential Mallefowl and Heathmouse populations.

Management of the reserve is currently with the Department of Water. Changing which government department manages the site should not affect the way in which the land is currently being used.

The track running diagonally through the site may have been part of a closed road that would have allowed for access to an existing quarry site at Lot 1337 immediately to the west. Historical aerial photos show that the diagonal track links the quarry site to the east with Floater Road, via the unused gravel pit within reserve 17880.

It does not appear that the Shire has any use for the land and taking on its management would be an unnecessary use of Shire resources.

It is recommended that the Shire raise no objection to the DEC taking management of Reserve 17880.

Statutory Obligation

When reserve land changes management the Department of Regional Lands and Development refer the proposed change to all associated government agencies for comment. In referring this proposal to the Shire, DEC are seeking to speed the referral process by going directly to the Shire for comment.

Policy Implications

Nil

Budget /Financial Implications

Nil

Strategic Implications

Nil

Sustainability implications

- **Environmental**

There are no known significant environmental considerations.

- **Economic**

If the local government seeks management of the reserve then there would ongoing costs in terms of managing the land and potentially in rehabilitating the existing gravel pit and track in the long term.

- **Social**

There are no known significant social considerations.

Voting Requirements

Simple Majority.

OFFICER RECOMMENDATION	ITEM 10.2.4
That the Council raise no objection to the management of Reserve 17880 being transferred to the Department of Environment and Conservation.	

COUNCIL DECISION AND OFFICER ALTERNATIVE RECOMMENDATION	ITEM 10.2.4
Moved: Cr Duncan	Seconded: Cr Norman
That the Council raise no objection to the management of Reserve 17880 being transferred to the Department of Environment and Conservation subject to:	
<ul style="list-style-type: none"> • A Fire Management Plan being prepared for the reserve: • The excision of the existing track that links Floater Road and Mount Short Road to the west. • Council retain access to gravel supplies. 	
Carried: 6/0	Res: 117/12

10.2.5 AMENDED PLANS - PROPOSED PLUMBING BUSINESS AND CARETAKER DWELLING LOT 642 (103) MORGANS STREET, RAVENSTHORPE
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File Ref:	13.0.0MOR103
Applicant:	Mr Peter Smith
Location:	Lot 642 (103) Morgans Street, Ravensthorpe
Disclosure of Officer Interest:	None
Date:	8 June 2012
Author:	Craig Pursey, Planning Officer
Authorising Officer:	Pascoe Durtanovich - CEO
Attachments:	Site, floor & elevation plans

Summary:

Council approved a plumbing business at its meeting September 2011 that consisted of an office, caretakers accommodation, storage and parking. The building was two-storey with caretakers on a mezzanine level.

The applicant has provided amended plans for this proposal that propose a smaller office building at the lot frontage and a separate caretaker's building at the rear.

It is recommended that Council issue a conditional planning approval for the amended plans for the proposed Office and Caretaker's Residence.

Background:***Site Description***

Lot 642 (103) Morgans Street, Ravensthorpe (Lot 642) is 1012m² in area and is developed with a dilapidated outbuilding (to be demolished). There is some existing vegetation on the lot to the rear of the site consisting of some reasonable sized native trees.

The site fronts a portion of Morgans Street identified by Main Roads WA as unsuitable for additional driveways due to the steep nature of the road and the large vehicles that use it. The lot is also accessed from a rear Right of Way (R.O.W.) that also services residential properties to the north.

Lot 642 is zoned 'Town Centre' under the Shire of Ravensthorpe Town Planning Scheme No.5 (the Scheme).

Previous Consideration

Council considered an application for a Plumbing Business & Caretaker's Residence at their meeting of 22nd September 2011 where it was resolved to approve the proposed plumbing business subject to condition including (but not limited to):

- a) *"Vehicular access to the development shall be via the rear laneway only. There is to be no direct vehicular access from Morgans Street to the development."*

- b) *Appropriate signage is to be installed limiting vehicular access to Morgans Street as 'exit only'.*
- c) *Prior to occupation of the development, satisfactory arrangements being made for the right of way from Hosking Street to the end of Lot 642 (103) Morgans Street to be constructed to the satisfaction of the Council."*

The previously approved plans have a large building with caretakers residence being incorporated into a mezzanine floor.

Comment:

Application

Amended plans have been lodged for the approved plumbing business to operate from Lot 642. The application consists of:

- An office fronting Morgans Street;
- A separate Caretaker's Dwelling at the rear of the site.
- Paved pedestrian access from Morgans Street; and
- Retention of existing large trees.

Vehicular access is from the rear of the site via the R.O.W. with an exit onto Morgans Street. The frontage is to be landscaped with native vegetation and the large trees at the rear of the site are to be retained.

Revised plans are attached to this report.

Scheme Requirements

Under the Shire of Ravensthorpe Town Planning Scheme No.5 (the Scheme), the subject land is within the "Town Centre" zone. The objective of this zone is:

To provide for retail shopping, office and commercial development and social, recreational and community activities servicing the town as a whole.

The amended plans are for an office and caretakers; this complies with the objectives for the zone.

An 'office' is a permitted use in the 'Town Centre' zone.

The Town Planning Scheme requires car parking at a ratio of 1 space for every 33m² of net lettable area, therefore in this instance a minimum of three car parking bays are required. Six bays have been provided.

The proposed development also includes caretaker facilities.

A caretakers dwelling is now classified as an 'IP' use within this zone (following the completion of Scheme Amendment 27). The Scheme now requires caretaker's accommodation to be located above or behind commercial development and sets a maximum internal floor area of 120m². The proposed caretaker's accommodation complies with the Scheme requirements.

The amended plans have removed the storage component of the development. The landowner has indicated that there may be a subsequent application for an additional building for storage lodged at some time in the future.

In the meantime it is recommended that a condition be added to the planning approval stating that no goods or materials are to be stored, either temporarily or permanently, in the parking or landscape areas or within access driveways.

Consultation:

Not applicable.

Statutory Obligations:

The Shire of Ravensthorpe Town Planning Scheme No.5 is an operative local planning scheme under the Planning and Development Act 2005.

The land is zoned "Town Centre" where Office is a permitted use and a Caretaker Dwelling is an 'IP' use (i.e. incidental to the predominant use of the land).

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

Policy Implications:

Local Planning Policy No.18 – Use of Rights of Way applies.

Budget / Financial Implications:

Nil

Strategic Implications:

Nil

Sustainability Implications:

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

Voting Requirements:

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION **ITEM 10.2.5**

Moved: Cr Lansdown

Seconded: Cr Field

That Council,

1. Approve the amended plans for the plumbing business (office and caretakers) at Lot 642 (103) Morgans Street, Ravensthorpe.
2. Advise the applicant that the same conditions of approval continue to apply to the amended plans as applied to the original.
3. Add a further condition of approval stating “no goods or materials are to be stored, either temporarily or permanently, in the parking or landscape areas or within access driveways”.

Amendment

Moved: Cr Norman

Seconded: Cr Goldfinch

That Point 3 of the motion be deleted.

The amendment was put and the vote tied: 3/3

The Presiding Person, Cr Goldfinch, exercised his right to a second vote and voted in favour of the amendment therefore the amendment was **carried 4/3**

The Amendment became part of the motion, the motion was put and the vote tied 3/3.

The Presiding Person, Cr Goldfinch, exercised his right to a second vote and voted in favour of the amendment therefore the amendment was **carried 4/3**.

Res: 118/12

*Cr Lansdown requested that the Councillors' votes on the above resolution be recorded***For:** Cr Norman; Cr Goldfinch ; Cr Duncan**Against:** Cr Lansdown; Cr Field ; Cr Dunlop**10.2.6 HORIZON POWER DEPOT SITE - HOPETOUN**

File Ref:	13.0.0.WIL013
Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	Nil
Date:	12 June 2012
Author:	Craig Pursey, Planning Officer
Authorising Officer:	Pascoe Durtanovich – Chief Executive Officer
Attachments:	None

Summary:

Council has received enquiries recently as to the future of the former Horizon Power plant site and depot in Wilkinson Street, Hopetoun.

The site has an industrial history and some unanswered questions over whether it is a contaminated site or not. The Town Planning Scheme and draft Local Planning Strategy both identify the site as a depot site and industrial.

However, the site is located in the centre of town, surrounded by residential land use and land reserved for recreation. An industrial type use, even a low key depot site, may not be the highest and best use for the land. It is flat, appears to be well serviced and would be more appropriately suited to an alternative land use more residential in character.

This report recommends that Council write to Horizon Power and the Department for Regional Development and Lands and indicate that should the existing depot land use cease, the Shire is unlikely to support another industrial type use on the site. Additionally, the Shire would support its change of purpose and zoning to enable a more residential land use subject to the necessary site contamination studies and works being completed.

Lastly, the draft Local Planning Strategy document should be amended to show the site's future use as 'Residential' rather than 'Industrial'.

Background:

Subject Site

Lot 435 (13) Wilkinson Street, Hopetoun is 6480m² in area and is currently used as a depot by Horizon Power. The depot consists of a gravel parking area, three sheds and is accessed from Wilkinson Street.

The western half of the site remains remnant vegetation, the eastern half is developed with the depot. Lot 435 appears to be a low point in the surrounding area.

The depot site is largely surrounded by remnant vegetation that screens the site from surrounding streets and development. However, the surrounding road network remains largely residential in character.

The site was formerly the power station site for Hopetoun and is currently a reserve managed by Horizon Power for the purposes of 'Electricity Generation.'

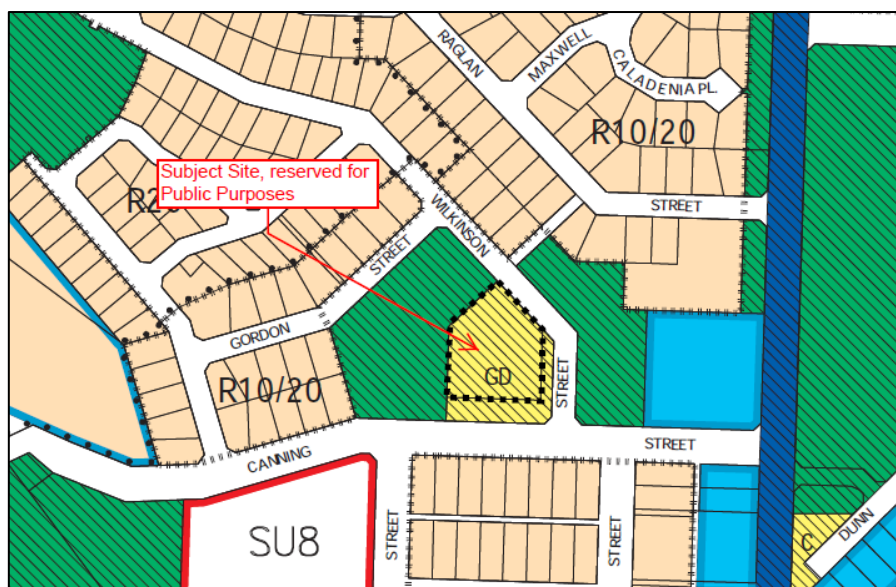


Subject Site edged in dotted black line (Landgate)

Zoning

Lot 435 is reserved for Public Purposes “Government Depot” under the Shire of Ravensthorpe Town Planning Scheme No.5 (the Scheme).

The land immediately adjoining the site is reserved for ‘Recreation’. The land to the south is zoned ‘Residential’ as shown in the zoning plan below.



Zoning Plan extract (WAPC 2012)

Local Planning Strategy

The Local Planning Strategy is the adopted 20 year land use vision for the Shire.

The draft Local Planning Strategy adopted by Council in April 2010 identifies the site as a ‘light industrial’ site which reflects its current use. It also discusses not rezoning any further residential land until demand warrants it. However, it should be borne in mind that this version of the Local Planning Strategy was drafted at a time when the Nickel mine had closed and population predictions were low.

The Strategy is currently being reworked with updated population figures and in response to informal feedback from the Department of Planning.

Comment:

Council has received an enquiry as to the future of the former Horizon Power plant site and current depot in Wilkinson Street, Hopetoun.

Whilst the current zoning and draft planning strategy show the site as a depot site and/or industrial land this should be reviewed for the following reasons:

- The land is located in the middle of town and is surrounded by residential land uses. It has water and sewer within reasonable proximity (although the capacity of these services is unknown at this time) so is presumably well serviced to accommodate an alternative use.

- Although the current depot is reasonably low key, with its off-site impacts limited to truck access and parking, if the depot closes down another depot or industrial type land use may not be so benign.
- The site is a low point in the surrounding area and may need to serve a drainage function over time.
- The site is within walking distance to Veal Street and is an opportunity to provide additional population within walking distance of the main street.

Overall the site appears to have good development potential in a well located spot. Retaining the industrial type activity and potential for the site would be a lost opportunity and possibly have implications for the amenity of the surrounding residential area.

Site Contamination

The site may be contaminated from its past industrial activity. The ongoing studies into this issue would need to be concluded and the site possibly remediated. A change in reserve manager or zoning will trigger the site contamination process and this will be the responsibility of Horizon Power. The cost and time taken to complete this is may prevent them from starting the process and will need to be negotiated with Horizon Power at some time in the future.

Options

1. A 'Residential' zoning with a medium density coding would allow for development such as aged persons housing, tourist accommodation, medium density development, childcare premises, consulting rooms, etc. This would support and compliment the activity in Veal Street but not compete. However, if there are site contamination issues a change to residential will definitely trigger a response and there are unknowns regarding the ability of the surrounding infrastructure to support more intense development of the site.
2. A 'Mixed Use' site allowing a mix of residential and office type uses may be suitable because of its central location. However, the Council should be focussing on supporting the main street activity as the regional centre and not watering it down into the surrounding residential area.
3. Convert the whole space to Public Open Space and create a centrally located parkland. This would consolidate the surrounding Recreation reserves and provide a play space for locals and visitors within walking distance of Veal Street and the surrounding residential area.

There would still be issues of site contamination to address as well as the additional development costs and running costs of a park. There are other sites around Veal Street, such as the oval and foreshore areas, that already service the central area.

4. Take no action and leave the site as it is currently zoned and identified in the Local Planning Strategy. This runs the risk of having an alternative industrial type activity that may have greater off-site impacts than the current depot. It is also a lost opportunity for the Shire.

There may be other uses that arise from the community for the site. These could be canvassed during the advertising of the draft Local Planning Strategy, in order to set the vision and future for the site.

Conclusion

Overall, the existing depot land use and demarcation as an industrial site is inappropriate and a lost opportunity for Hopetoun.

A residential land use is recommended as it is likely to fit into the surrounding area and support the commercial activity in Veal Street. It may also return some money to the party who is responsible for the clean up if the site is registered as a contaminated site.

The 'Residential' zone allows for a range of uses. For now it is not appropriate to delineate precise uses for the site as it is still being used as a depot and the Shire has not been advised if this is closing at this stage. The exact future uses will be dictated by demand when the land comes available.

What is appropriate at this time may be the following actions:

- A. Notify the current land managers (Horizon Power) and the Department of Regional Development and Lands (RDL) that should the depot close that the Shire would not be supportive of another industrial type activity on this location and that a more residential land use is preferred;
- B. Amend the draft Local Planning Strategy to identify the site as residential (rather than industrial) and add some explanatory text to the Strategy explaining the site's development potential and strategic location. When the Strategy is advertised for public comment interested parties could comment on the site's development potential at this time.

This would flag with the current land managers that the Shire wishes to explore alternative uses and that the Shire does not consider that the depot is a long term use appropriate for the area. Additionally, it raises the site's profile and seeks comment from the public during the appropriate planning process that is intended to set the 20 year vision for the whole Shire.

Consultation:

None at this stage.

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

Nil

Strategic Implications:

As described in the text above.

Sustainability Implications:

- **Environmental:**
The site may be contaminated from its past industrial activity. The ongoing studies into this issue would need to be concluded and the site possibly remediated.
- **Economic:**
There are no known significant economic considerations.
- **Social:**
There are no known significant social considerations.

Voting Requirements:
Simple Majority

OFFICER RECOMMENDATION

ITEM 10.2.6

That

1. Horizon Power and the Department for Regional Lands and Development be advised that:
 - Should the existing depot land use cease on Reserve 34291, the Shire is unlikely to support another industrial type use on the site; and
 - Additionally, the Shire would support its change of purpose and zoning to enable a more residential land use subject to the necessary site contamination studies and works being completed.
2. Amend the draft Local Planning Strategy to identify the site as residential and place some explanatory text for the change in the body of this document.

COUNCIL DECISION

ITEM 10.2.6

Moved: Cr Duncan

Seconded: Cr Field

That

1. Horizon Power and the Department for Regional Lands and Development be advised that:
 - Should the existing depot land use cease on Reserve 34291, the Shire will not support another industrial type use on the site; and
 - Additionally, the Shire would support its change of purpose and zoning to enable a more residential/recreation land use subject to the necessary site contamination studies and works being completed.
2. Amend the draft Local Planning Strategy to identify the site as residential /recreation and place some explanatory text for the change in the body of this document.

Carried: 6/0

Res: 119/12

10.2.7 HANGARS AT THE RAVENSTHORPE AIRPORT

File Ref:

Applicant: Not applicable

Location: Not applicable

Disclosure of Officer Interest:

Date: 11 June 2012

Author: Craig Pursey, Planning Officer

Authorising Officer: Pascoe Durtanovich – Chief Executive Officer

Attachments: None

Summary:

There has been some interest from Council in providing hangars at the Ravensthorpe Airport.

Preliminary advertising of the concept has drawn no expressions of interest.

It is recommended that Council not pursue providing hangars at the airport at this time.

Background:

Council's strategic work in the past has raised the question of whether to provide for hangars at the Ravensthorpe airport and if they are to be provided, in what form.

Prior to exploring this question in too much detail it was agreed at an informal Council briefing session in February 2012 to advertise for expressions of interest.

Consultation:

An advert was lodged Esperance Express on the 11th of May 2012 and the West Australian on the 16th of May 2012. The advert stated:

"Expression of interest is invited for hanger lots at the Ravensthorpe Airport.

Council is considering the release of lots, either leasehold or freehold and is seeking expression of interest to determine demand and viability."

No response has been received to the adverts.

Comment:

No interest has been shown from the public.

It is recommended that the Council not pursue the concept of providing hangars at the airport.

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

Nil

Strategic Implications:

Nil

Sustainability Implications:

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

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

Voting Requirements:

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.2.7
Moved: Cr Dunlop	Seconded: Cr Field
That Council not investigate the provision of hangars at the Ravensthorpe Airport at this time, given the lack of public interest.	
Carried: 5/1	Res: 120/12

10.2.8 CARBON SEQUESTRATION PLANTATIONS – POLICY DIRECTION**File Ref:****Applicant:****Owners:****Disclosure of Officer Interest:** None**Date:** 12 June 2012**Author:** Craig Pursey, Planning Officer**Authorising Officer:** Pascoe Durtanovich – Chief Executive Officer**Attachments:** None**Summary:**

Council has previously requested that the Manager Planning and Development prepare a draft policy on Carbon Sequestration Plantations.

This report briefly covers the major issues with Carbon Plantations and seeks direction from Council on the principles to be covered in the policy.

Background:

Recent changes in legislation around carbon pricing have resulted in a new industry involved in developing plantations for the purpose of sequestering carbon.

The Shire approved five carbon plantations in 2010 and assessed them as standard plantations as the Scheme and the current local planning policy dictated. They are a relatively new land use and the planning system and legislation has not responded to this particular type of plantation. There was no specific policy in place to assess these carbon plantation applications against at that time.

What are Carbon Plantations?

Carbon plantations are plantations that generally utilise native species such as Mallee that have a high carbon content. They are intensively planted, often planting whole farms at a time.

They are intended to create carbon offsets through the establishment and management of plantations dedicated to that purpose. These carbon plantations are not subject to harvesting and may be left in place for 70 years. The accumulated carbon dioxide in these plantations is then 'traded'.

For these carbon plantations to be certified, they must be established on land that was not vegetated (forest) prior to 1 January 1990. This means the focus is on cleared farmland to ensure there is no clearing of remnant vegetation.

Existing Scheme Provisions & Local Planning Policy

Town Planning Scheme No.5 lists 'Plantation' a discretionary land use that requires the approval of Council.

'Plantation' is defined as *"has the same meaning given to the term in the Code of Practice for Timber Plantations in Western Australia (1997)."*

Plantation is defined in the Code of Practice as:

"a stand of trees of ten hectares, or larger, that has been established by sowing or planting of either native or exotic tree species selected and managed intensively for their commercial and/or environmental value. A plantation includes roads, tracks, firebreaks and small areas of native vegetation surrounded by plantation. Implicit in this definition is the recognition that plantations will be harvested."

This is the model scheme text definition and includes harvesting; this reflects the fact that the planning system has not caught up with the new carbon plantations.

Council adopted Local Planning Policy 17 – Farm Forestry in 21st June 2007 to guide the assessment of plantations. This predates carbon plantations as a land use and deals with blue gum plantations or similar. The Policy requires submission of a silviculture plan, transport strategy, fire management plan and harvesting plan but does not provide any framework for deciding whether to approve them or not.

Local Planning Strategy

The Local Planning Strategy adopted in July 2003 discussed forestry and the intention to map areas of priority agriculture in the Shire in which to locate plantations. No action has been taken to date.

The draft Strategy briefly discussed agricultural land and prioritises the ongoing protection of productive agricultural land.

Other Shire's response

The Shire of Jerramungup had the same rush of applications in 2010 and this led to the development of a local planning policy that addressed the issue of carbon sequestration in particular. It was the first in the State and remains one of the few policies that address this particular land use.

This policy has been 'tested' at the State Administrative Tribunal (SAT) with the Tribunal supporting a decision of Council to refuse a carbon plantation application based on the recommendations of the Policy. However, the SAT process did highlight a number of areas where the policy may be improved so the policy is on the process of being reviewed.

The Shire of Jerramungup is currently reviewing its policy utilizing legal advice and environmental consultancies, it would be appropriate for the Shire of Ravensthorpe to share the legal and consultancy costs in the development of the Ravensthorpe policy.

Western Australian Planning Commission (WAPC)

State Planning Policy 2.5 – Agricultural and Rural Land Use Planning guides rural land use throughout that State; the Shire's Strategy, Scheme and policies are required to be consistent with the state planning policy.

The relevant key objective is:

- 1 *Protect agricultural land resources wherever possible by:*
 - (a) *discouraging land uses unrelated to agriculture from locating on agricultural land;*
 - (b) *minimising the ad hoc fragmentation of rural land; and*
 - (c) *improving resource and investment security for agricultural and allied industry production.*

The WAPC is in the process of reviewing their rural policies, although the protection of viable agricultural land is likely to remain at the heart of the policy.

Discussions with WAPC staff indicate that they are unlikely to take a specific stance on carbon plantations and will allow individual local governments to adopt their own approaches to carbon plantations provided they are supported in that Shire's Local Planning Strategy and Town Planning Scheme.

If the Council wishes to pursue a stance on carbon plantations both the Strategy and Scheme will need adjusting/amending.

Comment:

Staff seek direction from Council as to how they would like the planning issues created by carbon plantations addressed. The main issues with carbon plantations and land use planning are explored below and then options presented for Council's consideration.

Issues

Carbon Plantations are a new land use that raise a number of issues, these are briefly explored below.

Loss of viable agricultural land

Carbon plantations must be established on land that was not vegetated (forest) prior to 1 January 1990. This means the focus is on cleared farmland to ensure there is no clearing of remnant vegetation. Additionally, for economies of scale and management reasons plantation companies have looked to plant whole lots and whole farms to trees.

Only 20% of the Shire's land area is used for agricultural production, although it is the largest industry and most important economic driver. This consists of a relatively small number of very large farms, the loss of each farm to carbon plantation means there may be the potential to lock up large areas of viable farmland in trees.

This land is therefore not producing food; farming families are likely to leave the area, with the resultant loss of population and the flow on affects to the community structure and local economy.

Absentee landowners

Carbon plantation companies are all based outside of the Shire at this stage. Due to the low involvement with the property there is unlikely to be a huge local industry generated from the carbon plantation industry. The fact that the carbon plantations will be managed by off-site managers has potential to lead to issues with ongoing management of the land, weeds, vermin and fire management issues will need addressing.

Fire Management

FESA have produced standard fire management guidelines for plantations and these will be applied in the assessment of carbon plantations regardless of which direction the Council wishes to take.

As most carbon plantation managers are absentee landowners, issues of resourcing fire management on farms and having a local presence prepared to fight fires that start in or threaten plantations is important.

Economic Benefits

There are benefits to individual landowners who may wish to sell their land at a good price the plantation companies. Prohibiting or placing planning controls on where carbon plantations may locate is likely to have ramifications for land prices and the ability of individuals to sell their land when the only market is to sell to plantation companies.

There has been some concern raised by key stakeholders that landowners should be able to pursue agroforestry and/or plantations on their land without interference by local governments as they would normally do for any cropping or revegetation for land rehabilitation.

Any action by the Shire may affect land prices and will cause ramifications for landowners seeking to sell their land. Despite many landowners' best intentions for the Shire as a whole, as soon as Council entertain putting a policy in place that may affect the saleability of their land it brings it home financially and there is often resistance.

As the 'carbon economy' grows there may be increasing pressure on the Shire to support carbon plantations from government and industry bodies.

Environmental Benefits

The environmental benefits of such plantations are obvious and include lowering of water tables (and salinity levels), improved biodiversity (including habitat linkages), improved soil conservation and reduced sediment loads in waterways. Also from a local government perspective, additional road construction and maintenance is not required as the plantation may never be harvested.

There are clear environmental benefits to planting trees on a farm. These are of benefit to the way a farm operates with wind breaks, lowering of local water tables, etc and requires sensible planting in areas where there is environmental degradation or risk of degradation. Random planting of trees is unlikely to yield the best results.

The planting of whole properties to trees has benefits for the way a catchment area functions. However, similar to an individual property, there are specific areas in a catchment that have greater environmental benefit than others. For example, planting in recharge areas has benefits for dealing with salinity, other areas may not act to lower the water table as effectively.

Summary

Benefits

1. May have ability for farmers to gain a supplementary income
2. Could be used for environmental gain including rehabilitating degraded land/farms
3. Achieve ecological corridors and other broader environmental objectives if balanced against other needs such as:
 - lowering of water tables (and salinity levels),
 - improved biodiversity (including habitat linkages),
 - improved soil conservation and reduced sediment loads in waterways.

Also from a local government perspective, additional road construction and maintenance is not required as the plantation may never be harvested.

Negatives

1. Potential loss of prime agricultural land and food security issues; and
2. Social impacts with the potential to exacerbate loss of rural population;
3. Added issues arising from fire management requirements and increasing fire risk to surrounding properties;
4. Some visual impact on scenic routes (minimal);
5. Carbon plantations may be viewed as another monoculture of eastern states species with limited benefits to biodiversity of a region.
6. After the initial planting and other than annual firebreak maintenance, nothing is returned to the local community.

There is essentially no production of food from the land which once was carrying livestock and/or being used for cropping. There is the real potential that extensive areas planted to carbon plantations will lead to the depopulation of rural areas which in turn will mean small towns will not be sustainable due to population drift potentially leading to the closure of many small rural towns. This loss of agricultural production could have a negative impact on the Australian gross domestic product.

The Shire has good conditions for growing trees and reasonably cheap land (from an international viewpoint) and this leads to high chance that large areas of the Shire may be attractive to carbon planation companies if additional controls are not introduced.

Options

The options available to Council include:

1. Do nothing, allow market place and current Scheme provisions & policy to determine applications;

This would indicate to the Carbon Planation industry that the Shire is encouraging carbon plantations as an industry that they would like to promote in the Shire. It may have the shortfall of losing viable agricultural land and the resultant loss of population, etc described above.

2. Draft a Local Planning Policy similar to the Shire of Jerramungup's current policy that seeks to:
 - Retain viable agricultural land for broad hectare farming;
 - Permit a percentage of a lot to be developed with a plantation (up to 35%) to get the localised benefit of plantations in wind breaks, local revegetation works, etc; and
 - Only permit whole lots to be developed with a plantation where an overriding environmental benefit can be proven.

This option seeks to find a balance between protecting agricultural land and gaining the environmental benefits of carbon plantations.

3. Propose tighter controls on Carbon Plantations

Plantation is a discretionary land use in the Shire's Scheme so it is not possible to prohibit carbon plantations in the Shire. However, if Council want to restrict their location more tightly or place more prohibitive conditions it will serve to discourage carbon plantations from the Shire area.

Whatever the option chosen – Council will need to adopt the draft FESA standard requirements for Plantation Fire Management plans with local responses drawn from local brigades, etc. Issues of compartment sizes, firebreak widths and how issues with absentee landowners will be addressed need a consistent approach.

Statutory Obligation:

None at this stage.

Policy Implications:

Described in the body of this report.

Budget /Financial Implications:

There will be costs in developing a local planning policy, staff resources, legal and environmental advice. If Council agree to join with the Shire of Jerramungup in the utilization of consultants and legal advice the shared cost would be \$10,000 each.

Strategic Implications:

Nil

Sustainability implications:

- **Environmental:**
There are no known significant environmental considerations.
- **Economic:**
If the local government seeks management of the reserve then there would ongoing costs in terms of managing the land and potentially in rehabilitating the existing gravel pit and track in the long term.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Absolute Majority.

OFFICER RECOMMENDATION

ITEM 10.2.8

That

1. the Manager Planning and Development prepare a draft local planning policy for Carbon Plantations that is consistent with the Shire of Jerramungup Plantation and Agroforestry local planning policy;
2. An allocation of \$10,000 be made in the 2012/2013 budget for consultancy and legal advice in the preparation of the draft policy.
3. The policy be presented to Council by the September 2012 meeting at the latest.

COUNCIL DECISION

ITEM 10.2.8

Moved: Cr Duncan

Seconded: Cr Dunlop

That

1. The Manager Planning and Development prepare a draft local planning policy for Carbon Plantations that is consistent with the Shire of Jerramungup Plantation and Agroforestry local planning policy;
2. An allocation of \$10,000 be made in the 2012/2013 budget for consultancy and legal advice in the preparation of the draft policy.
3. The policy be presented to Council by the September 2012 meeting at the latest.
4. The Shire of Lake Grace be invited to participate in the preparation of a local planning policy for Carbon Plantations.

Carried by absolute majority: 6/0

Res: 121/12

10.3 Manager of Engineering Services

Nil

10.4 Chief Executive Officer**10.4.1 FEASIBILITY STUDY – STARVATION BAY BOAT RAMP****File Ref:****Applicant:**

Not applicable

Location:

Starvation Bay Coastal Area

Disclosure of Officer Interest:

None

Date:

9 June, 2012

Author:

Pascoe Durtanovich – Chief Executive Officer

Authorising Officer:

Not applicable

Attachments:

None

Summary:

The Shire of Ravensthorpe has received funding of \$60,000 from the Department of Transport to undertake a feasibility study for a boat launching facility at Starvation Bay.

This report recommends that Council accept the funding and contribute \$20,000 to the project, as required under the conditions of funding.

Background:

A boat ramp structure was constructed at Starvation Bay in 2005, with further modifications in 2007. In 2009 the construction was determined to be inadequate in design and hence safety and was subsequently removed.

Boats are now launched from the beach and with swimming lessons being held at the location during the peak tourist season boat launching is limited to avoid conflict with beach users.

A number of Shire strategic planning documents refer to the need for an investigation into the possibility and feasibility of providing a boat launching facility at Starvation Bay.

With the advent of funding availability under the Recreational Boating Facilities Scheme a funding application was submitted with the assistance of the Fitzgerald Coast Tourism Association.

Comment:

It is proposed that the feasibility study will be carried out by BMT JFA Consultants Pty Ltd.

BMT JFA Consultants Pty Ltd (BMY JFA) are an experienced coastal, port and harbour engineering consultancy based in Perth, Western Australia, with specialist knowledge in the design and construction of ports and dredging works. BMT JFA are able to undertake and manage projects from the conception through to completion, including planning, site investigations, coastal engineering studies, contract and construction management, and facility management for such projects.

The study will take approximately 18 weeks to complete. The scope of the work will be in accordance with the following:

- A. Feasibility Study phase will involve the completion of the following tasks:
 - Collate relevant information from design reports and studies, metocean data, topographic and hydrographic surveys;
 - Review available design wave and ambient wave data for the site;
 - Review existing design criteria and provide recommendations;
 - Develop a concept layout for the ramp;
 - Produce a preliminary cost estimate based on in-house cost rates;
 - Undertake desktop review of the likely environmental impacts; and
 - Prepare a feasibility study report.

- B. Detailed Engineering phase will involve the completion of the following tasks:
 - Produce detailed cost estimates based on contractor cost rates;
 - Prepare detailed design drawings; and
 - Prepare a pre tender brief.

Consultation:

The Strategic Planning documents that identify the need for an investigation into the provision of a boat launching facility at Starvation Bay were prepared with intensive public consultation.

Statutory Obligations:

If Council agreed to accept the funding, completion of the project will have to be in accordance with the Recreational Boating Facilities Scheme Funding Agreement that the Shire is required to enter into.

Policy Implications:

Nil

Budget / Financial Implications:

The total cost of the project is \$80,000. Grant funding of \$60,000 has been confirmed. Under the funding guidelines the Shire of Ravensthorpe, or any other organisation is required to contribute 25% (\$20,000). A commitment is required at this point, payment is not required until into the 2012/2013 financial year therefore the required allocation would be included in the 2012/2013 budget.

Strategic Implications:

In 2008 the New Coastal Asset Branch of the Development for Planning and Infrastructure undertook a study to develop reference document DPI Report No. 454, *Goldfields-Esperance region, Public Recreational Boating Facilities (2008)*. This report noted

- The Starvation Bay ramp is subject to adverse weather conditions so an investigation into improving the shelter at his site should be considered.

The need for a ramp was reconfirmed and supported by the *Shire of Ravensthorpe Coastal Management Plan 2011-2021* prepared in March 2011.

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"It is considered prudent that the Shire investigate further the possibility of constructing a boat ramp at this location. This will require consultation with the community in order to determine the demand and the most appropriate location. An engineer will also be required to oversee the location and construction of the boat ramp."

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Starvation Boat Harbour Recommendations

"S4-11. Investigate the possibility of establishing a formal boat ramp at Starvation Boat Harbour. The exact location will need to be determined based on engineering investigations and community consultation."

In 2009 Council resolved as follows:

That Council:

Note the information received from Opus International consultants.

Include the construction of a suitable boat ramp structure as a project in the next update of the Shire of Ravensthorpe Strategic Plan.

Sustainability Implications:

- **Environmental:**
The feasibility study will identify any environmental implications.

- **Economic:**
Potential for increased tourist activity.
- **Social:**
The provision of additional facilities at Starvation Bay will increase recreational opportunities for locals and visitors.

Voting Requirements:

Absolute Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.1
Moved: Cr Dunlop	Seconded: Cr Goldfinch
That the grant of \$60,000 from the Recreational Boating Facilities Scheme for the Starvation Bay Boat Launching Facility feasibility study be accepted and unbudgeted expenditure of \$20,000 be authorized as the 25% contribution required under the funding agreement.	
Carried by Absolute Majority: 4/2	Res: 122/12

10.4.2 RAVENSTHORPE HOPETOUN FUTURE FUND TRUST DEED AMENDMENTS

File Ref:

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	Chief Executive Officer
Date:	9 June, 2012
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Yes – Trust Deed with proposed amendments

Prior to any consideration of Item 10.4.2 Cr Goldfinch made the following declaration:

I am a Board member of the Ravensthorpe Hopetoun Future Fund and as a consequence there may be a perception that my impartiality on this matter may be affected. I declare that I will consider this matter on its merit and vote accordingly.

Prior to any consideration of Item 10.4.2 Pascoe Durtanovich made the following declaration:

I am a Board member of the Ravensthorpe Hopetoun Future Fund and as a consequence there may be a perception that my impartiality on this matter may be affected. I declare that I will consider this matter on its merit.

Summary:

The Board of the Ravensthorpe Hopetoun Future Fund has requested a number of amendments to the fund Trust Deed. This report recommends the amendments be approved.

Background:

After two years of operation the Board of the Ravensthorpe Hopetoun Future Fund has undertaken a review of the Funds Trust Deeds and has identified a number of amendments required to make compliance with the Deed simpler and more appropriate to current circumstances.

As the Future Fund Trustee Council is required to approve the amendments.

Comment:

A copy of the Trust Deed with the changes identified is attached.

The amendments requested refer to:

- Meeting Quorum
- Material personal interest provisions.
- Payment of stipend and expenses.
- Requirement for 80% distribution of annual income.
- Possible Shire boundary changes.

The most significant change requested refers to the issue of boundary amendments to the district of the Shire of Ravensthorpe.

Under the current Deed if the Shire of Ravensthorpe amalgamated with another Shire the Fund would only apply to the Ravensthorpe Shire district as existed before the amalgamation, however the Deed is silent in the case of a Shire boundary amendment. The requested amendment retains the amalgamation scenario and a new provision is included to provide that if a Shire boundary adjustment occurs then the exiting area does not qualify for funding from the Future Fund. Conversely if a boundary amendment results in an additional area coming into the Shire of Ravensthorpe, that area qualifies for funding.

Consultation:

Not applicable

Statutory Obligations:

The requested amendments to the Trust Deed have been prepared by Mcleods Solicitors.

Policy Implications:

Nil

Budget / Financial Implications:

There are no financial implications to the Shire of Ravensthorpe, legal advice costs and any expenditure resulting from changes will be met by the Future Fund.

Strategic Implications:

Nil

Sustainability Implications:

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

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

Voting Requirements:

Simple Majority

The Chief Executive Officer advised the meeting that First Quantum is keen to participate in the Future Fund and would like to talk to the Fund Board in respect to the company's involvement. The Chief Executive Officer further advised that given First Quantum's interest, Item 10.4.2 should be deferred in case further amendments to the Trust Deed are required after the Board meets with First Quantum.

OFFICER RECOMMENDATION	ITEM 10.4.2
That the Ravensthorpe Hopetoun Future Fund Deed be amended as proposed in the attached Trust Deed document (attachment 10.4.2).	

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.2
Moved: Cr Lansdown	Seconded: Cr Duncan
That Item 10.4.2 to be laid on the table until discussions with First Quantum and the Board of the Future Fund are completed.	
Carried: 6/0	Res: 123/12

10.4.3 HOPETOUN FORESHORE DEVELOPMENT PLAN**File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 10 June, 2012**Author:** Pascoe Durtanovich – Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:** Yes – Basic concept plan and associated plans**Summary:**

The Hopetoun Progress Association was successful in obtaining a grant from the Ravensthorpe Hopetoun Future Fund for planning and design work for the Hopetoun Foreshore Development.

This report recommends that Council support the project and contribute the Shire Reserve funds identified for this project.

Background:

Development of the Hopetoun Foreshore was first considered, in detail, some twenty years ago with the Hopetoun Foreshore Development Plan prepared by G F Craig, Environmental Consultant for the Department of Planning and Urban Development and the Hopetoun Foreshore Site Development Plan prepared by Environmental Consultant Kim Bennett in 2001.

The current development concept is based on these documents/plans.

Comment:

The objective of the project is to provide civil, landscape architecture and electrical design for the upgrade of the foreshore to tie into the preliminary design upgrade for Veal St as part of the Hopetoun Mainstreet Strategy.

The project will include

- Civil engineering preliminary design and detailed construction drawings for carpark area, kerbing, access roads and footpaths.
- Electrical engineering concept and design.
- Structural certification of footings for detailed structure/building designs.
- Detailed design and implementation drawings for the foreshore area.
- Quantities, specifications and cost estimates for construction
- Full feature survey from cadastral boundaries including road alignment, centreline and verge features including
 - Existing street trees and crossovers
 - Fences, signs and poles
 - Drainage details – pipe sizes, headwalls, pits and structures, inverts of swale drains
 - Service pits
 - Ground levels at approx.10m grid and at significant features
 - Cadastral Boundaries
- Soil Testing – 6 test pits (1500mm deep) to determine soils profile and water table levels for car park area and proposed building/structure locations for footing designs
- Test pits on groyne to determine soil and/or rock type for footings for structure/shelter.

The Hopetoun Progress Association has facilitated this project to date, culminating in the successful Future Fund funding application. The Associations efforts should be acknowledged.

As the project progresses into full design phase it is important that the level of Local Government involvement increase, to this end it is recommended that Council appoint one Councillor and one staff member to work with the consultants and the Hopetoun Progress Association to take the project forward.

Consultation:

The Hopetoun Progress Association has undertaken detailed community consultation, including questionnaires, displays and letters of support.

Questionnaire details are attached.

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

The total project cost is \$69,000, funded as follows:

Ravensthorpe Hopetoun Future Fund	\$50,000
Hopetoun Progress Association	\$ 5,000
Shire of Ravensthorpe Reserve Account	<u>\$14,000</u>
Total	\$69,000

It is recommended that the Shire of Ravensthorpe Hopetoun Foreshore Reserve Account be closed through the 2012/2013 budget and the funds allocated to this project.

Strategic Implications:

The Shire of Ravensthorpe Strategic Plan and Coastal Management Plan refer.

Sustainability Implications:

- **Environmental:**
Environmental impact will be a key issue and will be addressed in the plan.
- **Economic:**
The main economic benefit will result from employment opportunities through the construction phase, should the project achieve funding.
- **Social:**
Positive social benefits will be achieved in the construction phase with improved, safe pedestrian access and increased recreation area.

Voting Requirements:

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.3
Moved: Cr Field	Seconded: Cr Norman
That	
1) the Hopetoun Foreshore Development Planning Project be supported.	
2) the Shire of Ravensthorpe Hopetoun Foreshore Development Reserve account be closed through the budget process and funds therein be allocated to the Foreshore Development Planning Project.	
3) the Hopetoun Progress Association be acknowledged for facilitating the project to this stage and for obtaining funding for the project.	
4) the Manager Engineering Services and Cr Dunlop be appointed to work with the consultants and the Hopetoun Progress Association in delivery of the project.	
Carried: 6/0	Res: 124/12

10.4.4 HOPETOUN CPTED AND LIGHTING AUDIT

File Ref:	8377.18
Applicant:	Shire of Ravensthorpe
Location:	Hopetoun Town Centre
Disclosure of Officer Interest:	None
Date:	10 June, 2012
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Yes – copy of audit report provided to Councillors under separate cover.

Summary:

The Hopetoun CPTED and Lighting Audit was completed in February 2012.

Council is now requested to address the recommendation therein.

Background:

In June, 2011 Council authorized unbudgeted expenditure of \$6,000 as a contribution to a CCTV audit in Hopetoun.

The Office of Crime and Prevention contributed \$5,000.

Mr Chris Cubbage of Amlec House Pty Ltd was appointed to undertake the audit.

Whilst reference is made to Closed Circuit Television (CCTV), cameras are only a tool used to minimize crime. The audit undertaken is actually a Crime Prevention Through Environmental Design (CPTED) audit and covers street design access etc.

Comment:

The Audit report contains some twenty recommendations as follows:

Table 1: Recommendation Implementation Key

Timeframe	Cost Estimation	Risk Priority	Management Criteria
1 = 0 - 3 months	A = < \$2,000	Low	CPTED
2 = 3 - 12 months	B = \$2,000 - \$5,000	Moderate	Maintenance
3 = 12 - 36 months	C = > \$5,000	High	Lighting

Recommendation 1 Repaint and rectify pedestrian crossing poles throughout Veal Street. Well maintained areas can enhance a sense of ownership for the community and increase pedestrian safety.	2	B	Low	M
Recommendation 2 Link pathway leading to residential properties to pedestrian crossing located at the Northern end of Veal Street to connect pathways and increase pedestrian safety.	3	C	Low	C

<p>Recommendation 3 Ensure foliage maintenance throughout the Town Centre, specifically of young trees, to increase natural surveillance and community safety perceptions. Canopy heights should be raised to a minimum of three (3) meters to ensure clear lines of sight throughout the town.</p>	1	A	Low	M
<p>Recommendation 4 Resurface the pathway located on the Western side of Veal Street to increase pedestrian safety, and connect pathways throughout the Town Centre. Ensure pathway maintenance to enhance a sense of ownership for the community and encourage community pride.</p>	2	C	Low	M
<p>Recommendation 5 Consideration should be given to upgrading the skate park and tennis courts, located on the Southern side of the bowls club, to activate the area and provide activity for local youths. Amalgamating the two facilities and developing a single, larger activity area can attract the community, providing a sense of ownership and encouraging community pride.</p>	3	C	Low	C
<p>Recommendation 6 Consideration should be given to resurfacing the basketball courts located at the Southern side of the Bowling Club and implementing a formal car park to service the Bowling Club and adjacent facilities.</p>	2	C	Low	C
<p>Recommendation 7 Implement dog excrement signage at McCulloch Park to deter potential offenders. Install dog waste bags and bins to discourage litter.</p>	1	B	Low	C
<p>Recommendation 8 Implement festival banners at the entrance to the Town Centre to create community interaction. Banners should be maintained to a high standard and rotated in theme as frequent as possible.</p>	1	A	Low	C
<p>Recommendation 9 Review pathway maintenance and reporting procedures to reduce the opportunity for loose paving and damaged curbing to cause tripping hazards and be used for vandalism and illegitimate activity. Consideration should be given to connecting the war memorial pathway to the adjacent laneway to connect both areas and increase pedestrian safety.</p>	2	C	Moderate	M
<p>Recommendation 10 Remove climbing debris located adjacent the abandoned shopping complex to reduce opportunity for vandalism and other illegitimate activity.</p>	1	A	Moderate	M
<p>Recommendation 11 Broken glass was observed in the vacant block located adjacent the abandoned shopping complex. Ensure reporting and maintenance, and monitor trends for police attention and covert/interim surveillance, if required.</p>	1	A	Moderate	M
<p>Recommendation 12 Raise safety and security awareness within the community to reduce opportunities for offenders. Community awareness strategies may include:</p> <ul style="list-style-type: none"> • Install crime prevention signage in car parks and entrance and exit points to the Town Centre; • Present articles in Shire/police newsletters; • Provide community announcement and advertisements 	3	B	Moderate	C

through different mediums and media sources; and <ul style="list-style-type: none"> Hold community awareness meetings for local residents. 				
Recommendation 13 Rectify water fountain located at McCulloch Park.	1	A	Low	M
Recommendation 14 Implement a pedestrian crossing or clear pathway link on Veal Street adjacent the IGA store to increase pedestrian safety when moving through the Town Centre. We refer to Main Roads policy of phasing out cross walks and implementing raised pedestrian crossing zones. Illumination of pedestrian crossings must be in compliance with AS1158.4 The Lighting of Urban Roads and Public Spaces Part 4: Lighting of Pedestrian Crossings.	2	B	Low	C
Recommendation 15 Remove loose rocks located adjacent the Veal Street Pumping Station to reduce the opportunity for vandalism and other illegitimate activity.	1	A	Moderate	C
Recommendation 16 Ensure vegetation maintenance adjacent the ablution block located at The Groyne. Well maintained vegetation can connect the ablution block to the beachfront and Veal Street by improving natural surveillance to the area.	1	A	Low	C
Recommendation 17 Consideration should be given to public transport between Hopetoun and neighbouring towns to provide opportunity for youths and community members without vehicles to attend events and activities provided in adjacent town sites. Providing transport will decrease boredom related crime, such as antisocial behaviour and vandalism, and provide local residents with an alternative option to licensed premises.	3	C	Low	C
Recommendation 18 In our view, a lighting upgrade to use Compact Fluorescent or MH lamps to emit a brighter white light will significantly enhance any future CCTV surveillance capability and image quality, in addition to providing for enhanced crime prevention and community safety perceptions.	3	C	Low	L
Recommendation 19 Lighting at intersections should be balanced to a minimum of 20 lux, in accordance with Section 2.3 of the Main Roads Lighting Design Guideline for Roadways and Public Spaces.	2	C	Moderate	L

A number of the recommendations will be addressed through the streetscape project, others can be addresses as maintenance items.

In respect to CCTV recommendations the report states:

Due to the low volume of crime and low risk to public safety, a fully functional, integrated CCTV System is not viable for the Hopetoun Town Centre at this time.

The Shire of Ravensthorpe may consider a number of portable camera units which may be supplied to Hopetoun police to operate as portable cameras. Cameras may be provided with the capability to be linked to a viewing platform through an XG network via a 3G modem.

A budget of between \$2,500.00 and \$5,000.00 should be allocated for each portable camera unit and \$39.00 and \$190.00 for a monthly network plan for XG network use.

A portable camera unit will allow police to target specific areas within Hopetoun and not be limited to the main street. The provision of two cameras will be sufficient for police to commence operational use of CCTV and identify local offenders, in particular those responsible for hooning.

Liaison with the licensee of the Hotel should be ongoing and external coverage of the pathway immediately outside of the Hotel may be incorporated into the existing hotel's CCTV system.

Whilst Council may contribute funding for the purchase of portable cameras the question has to be asked as to what extent Council should be involved in facilitating the project, liaising with Hopetoun businesses etc.

There is no spare capacity within the existing staff structure therefore if Council is to be involved in addition to the purchase of cameras then allowance will have to be made for additional staff.

Consultation:

The consultant liaised with Hopetoun businesses and Hopetoun Police.

Statutory Obligations:

There is no statutory requirement for the Shire to participate however under the Local Government Act, 1995 "good governance" provisions law and order is an area that requires Council consideration.

Policy Implications:

Nil

Budget / Financial Implications:

The audit report recommends two portable cameras at a cost of \$2,500 to \$5,000. Administration recommends Council include \$10,000 in the 2012/2013 budget and seek grant funds for \$5,000, ie If grant funds are not available Council will fund the full cost.

Strategic Implications:

Nil

Sustainability Implications:

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

Voting Requirements:

Absolute Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION **ITEM 10.4.4**

Moved: Cr Dunlop

Seconded: Cr Norman

That:

- 1) the Hopetoun CPTED and Lighting Audit be received and the recommendations therein be addressed in the Hopetoun Main Street project, as appropriate.
- 2) An allocation of \$10,000 be included in the 2012/2013 budget for the purchase of two cameras for use by the local police.
- 3) The Deputy Chief Executive Officer seek grant funding for the purchase of the cameras.

Vote Tied: 3/3

The Presiding Person, Cr Goldfinch, exercised his right to a second vote and voted in favour of the motion therefore the vote was 4/3, an absolute majority was not achieved therefore the motion was lost.

Res: 125/12

10.4.5 SERVICE LEVEL AGREEMENTS – STAFF RESOURCE SHARING – SHIRE OF JERRAMUNGUP**File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:****Date:** 11 June, 2012**Author:** Pascoe Durtanovich – Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:** Yes – Copies of Service Level Agreements provided to Council under separate cover.**Summary:**

The Service Level agreement with the Shire of Jerramungup, in respect to the positions of Deputy Chief Executive Officer and Manager Planning and Development, are due for review.

This report recommends continuation of the arrangements with minor modifications to the cost distribution.

Background:

Council endorsed Service Level Agreements for a shared Deputy Chief Executive Officer and Planning Officer with the Shire of Jerramungup in May, 2011.

The agreements commenced on 1 July, 2011, for a term of 3 years.

Section 2.2 (2) of the agreements contains the following provision;

On, or prior to, the first anniversary of the Commencement Date either Party may give Notice to the other Party that it seeks a review of the operation of the Contract.

Comment:

In reviewing the initial 12 months, the services being delivered under the service level agreements were scored as follows:

Scale

Far Exceeds Expectations	5
Exceeds Expectations	4
Meets Expectations	3
Developing	2
Needs Improvement	1
Not Applicable	0

Deputy CEO

Item	Services	Score
(a)	Coordinate and manage the Service Recipient's corporate service functions including customer service activities, licensing functions, property rating functions, debtors and creditors control, recreational services and general financial services.	3
(b)	Facilitate informed decision making by the Service Recipient at both the Council and executive level through the provision of accurate, clear, concise and statutorily compliant financial reports.	4
(c)	Proactively seek grant funding to deliver projects identified in the Service Recipient's strategic plan.	0
(d)	Maintain a satisfactory relationship with providers of grants to the Service Recipient by ensuring that grant acquittals are completed in accordance with the requirements of the relevant grant provider.	3
(e)	Ensure that the Service Recipient's recreational facilities are adequately managed, insured and supported in order to deliver appropriate recreational outcomes to the Service Recipient's community.	3
(f)	Identify training and career development opportunities for the Service Recipient's corporate services employees.	5
(g)	Carry out annual performance reviews for all of the Service Recipient's corporate services employees.	4
(h)	Ensure that long range financial plans which reflect the Service Recipient's strategic and asset management plans are in place and implemented.	0
(i)	Coordinate the activities required to meet the Service Recipient's statutory compliance obligations including the annual submission of the compliance return.	3

Planning Officer

Item	Services	Score
(a)	Review and keep under review, the Service Recipients' local planning schemes and strategies with the object of recommending amendments that might be necessary to ensure that appropriate provision is made with respect to landuse planning and development to facilitate and manage growth within the Service Recipient's district.	3
(b)	Provide advice to the Service Recipient in regard to its obligations under all land use and development related legislation, planning schemes, regulations, local laws and State Government policies.	3
(c)	Assess and report to the Service Recipient on development applications to the Service Recipient including but not limited to applications for planning consent, subdivision applications, structure plan proposals and scheme amendment proposals.	3
(d)	Administer the placement and removal of any bond, warranty, caveat or other form of security imposed or required by the Service Recipient as a condition of development within the district of the Service Recipient.	3
(e)	Take action as necessary to enforce within the Service Recipient's district, conditions of development and compliance with the provisions of any applicable planning scheme or land use and development related legislation, regulation or local law.	2
(f)	Provide sound planning advice to internal and external customers of the Service Recipient.	3
(g)	Meet with stakeholders in regard to the development of land within the Service Recipient's district.	4
(h)	Process the clearance of conditions of subdivision for subdivisions of land within the Service Recipient's district.	3
(i)	Assess and process referrals and proposals relating to Crown Land within the Service Recipient's district.	3
(j)	Prepare reports, legal briefs and witness statements for, and attend and give evidence at, any court or tribunal on matters related to enforcement under paragraph (g) above, or any challenge to land use and development related decisions made by the Service Recipient.	0

The above is merely a guide to assist with the review. It should be further noted that the sharing arrangements have delivered a number of benefits to the Shire of Ravensthorpe,

particularly in the area of uniformity of accounting, IT arrangements and staff training opportunities.

Overall the greatest benefit to the Ravensthorpe Shire is having the services of professional, experienced local government officers.

It should be noted that in the services delivery assessment compliance issues in the Town Planning area have been scored low. This is primarily because the Officer does not have time to address compliance issues. As a professional planner his time is better spent on policy development and strategic planning. Acknowledging this, Councillors have supported, through the budget workshops, the employment of a full time Compliance Officer.

As employees of the Shire of Jerramungup the staff involved in the resource sharing have each performed an annual performance review and made various suggestions in terms of the resource sharing arrangements. Most of the changes are operational and don't require a formal amendment to the agreements, however 3 of the suggestions will require the agreements to be amended.

1. CPI increases: The service level agreement lists a base salary over the 3 year period but makes no allowance for annual CPI increases. It is recommended that annual CPI increases are applied.
2. Vehicle running costs: The current vehicle running costs are split 50/50 between the two organisations. This does not accurately reflect the travel allocations given the distance associated with attending the Ravensthorpe administration centre. A more appropriate split would be 70/30.
3. The housing component for the Planning Officer will need to be increased to \$300 (currently \$270) per week given the provisions contained within the current lease and a recent market rent review.

It is recommended that the changes be supported.

Consultation:

Extensive consultation has occurred with the Shire of Jerramungup and affected staff.

Statutory Obligations:

Statutory obligations are in accordance with the Service Level Agreements.

Policy Implications:

Policy G9 in respect to Senior Staff under the Local Government Act 1995.

Budget / Financial Implications:

The total cost of this arrangement is \$189,000 an increase of approximately \$10,000.

Strategic Implications:

Shire of Ravensthorpe Strategic Plan Plan for the Future 2010-2015 Action Plan No.32D page 57 and Action Plan 3.3 pages 58 and 59.

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 DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.5
Moved: Cr Field	Seconded: Cr Duncan
That:	
1) The service level agreements and resource sharing arrangements, for a shared Deputy Chief Executive Officer and Planning Officer, with the shire of Jerramungup be continued.	
2) The service level agreements be amended to include;	
a. CPI increases to the base salary at each anniversary date for both officers.	
b. Increasing the housing component by \$30.00 per week for the planning officer to reflect the provisions contained within the current lease and a recent market rent review.	
c. Amending the vehicle running cost to a 70/30 Ravensthorpe /Jerramungup split to more accurately reflect the costs experienced over the initial 12 month period.	
Carried: 6/0	Res: 126/12

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 - 6.12PM

These minutes were confirmed at the meeting of the _____

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

Date: _____