

MINUTES

of the Council Meeting held on

Thursday 23 February 2012
commencing at 5 p.m.

in the Council Chambers, Ravensthorpe.

ORDINARY MEETING OF COUNCIL

**HELD IN THE COUNCIL CHAMBERS, RAVENSTHORPE
ON 23 FEBRUARY 2012, COMMENCING AT 5PM**

CONTENTS	PAGE NO
1 DECLARATION OF OPENING /ANNOUNCEMENTS OF VISITORS	3
2 RECORD OF ATTENDANCE	3
3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	3
4 PUBLIC QUESTION TIME	3
5 APPLICATIONS, FOR AND PREVIOUSLY APPROVED LEAVE OF ABSENCE AND DISCLOSURES OF INTEREST	3
6 PETITIONS/DEPUTATIONS/ PRESENTATIONS	3
7 CONFIRMATION OF MINUTES	4
7.1 COUNCIL MEETING 20 FEBRUARY 2012	4
8 SUSPENSION OF STANDING ORDERS	4
9 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSIONS	4
10 REPORTS OF OFFICERS	4
10.1 DEPUTY CHIEF EXECUTIVE OFFICER	4
10.1.1 FINANCIAL STATEMENT FOR THE PERIOD ENDING 30 SEPTEMBER 2011	4
10.1.2 ACCOUNTS FOR PAYMENT – MONTH ENDING 30 SEPTEMBER 2011	5
10.1.3 AIRPORT SCREENING PROPOSAL	7
10.2 MANAGER OF PLANNING & DEVELOPMENT	9
10.2.1 APPLICATION FOR PLANNING APPROVAL FOR AN ILLUMINATED SIGN AT LOT 20 (65) MORGANS STREET, RAVENSTHORPE	9
10.2.2 PROPOSED 132KV POWER LINE AND EASEMENT – RESERVE 8812, “RABBIT PROOF FENCE”	12
10.2.3 PROPOSED EXHIBITION CENTRE FOR DISPLAY OF VINTAGE MACHINERY No. 84 (LOT 784) cnr. MORGAN & ANDRE STREETS, RAVENSTHORPE	15
10.2.4 PROPOSED OVER-HEIGHT OUTBUILDING AT LOT 705 PLATYPUS ROAD, HOPETOUN	23
10.2.5 PROPOSED SUBDIVISION GUIDE PLAN – LOT 52 LESCHENAULTIA DRIVE, HOPETOUN	27
10.3 MANAGER OF ENGINEERING SERVICES	35
10.3.1 COCANARUP INFORMATION BAY – DONATION OF FUNDS FOR THE CONSTRUCTION OF HARDSTAND AREA	35
10.3.2 ‘BLACK WATER’ DUMP POINT - HOPETOUN	37
10.3.3 SEVERE THUNDERSTORMS AND ASSOCIATED FLOODING (DEC 2011)	39
10.3.4 WASTE DISPOSAL SITE – FULL TIME STAFFED OFFICE	41
10.3.5 WEST POINT ROAD – HEAVY VEHICLE ACCESS	43
10.3.6 STARVATION BAY BOATING FACILITY	45
10.4 CHIEF EXECUTIVE OFFICER	47
10.4.1 BLACK SPOT TELEVISION SERVICE – DIGITAL SIGNAL CONVERSION	47
10.4.2 CONTRACT EXTENSION – CHIEF EXECUTIVE OFFICER	49
11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	50
12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	51
13 MATTERS BEHIND CLOSED DOORS	51
14 CLOSURE OF MEETING	51

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

5.04pm – The Presiding Person, Cr Ian Goldfinch, declared the meeting open.

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 Julianne Townsend
Cr Ken Norman
Cr Andrew Duncan

STAFF: Pascoe Durtanovich (Chief Executive Officer)
Craig Pursey (Manager Planning and Development)
Jenny Rutter (Executive Assistant)

APOLOGIES:
Nil

ON LEAVE OF ABSENCE:
Nil

ABSENT:
Nil

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME**4.1 Mr Paul Fisher – Re Item 10.2.5**

Spoke in support of the subdivision guide plan. Provided Council with an update plan and advised that reticulated water is unlikely.

5.21pm There being no further speakers question time closed.

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

Cr Ken Norman	Impartiality	10.2.3 and 10.3.1
Cr Ian Goldfinch	Impartiality	10.2.3 and 10.3.1
Mr Pascoe Durtanovich	Financial	10.4.2

6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

Nil

7. CONFIRMATION OF MINUTES

7.1 Council Meeting – 20 February 2012

OFFICER RECOMMENDATION	ITEM 7.1
Moved: Cr Duncan	Seconded: Cr Dunlop
That the minutes of the meeting of Council held on 20 February 2011 be confirmed as a true and correct record of proceedings.	
Carried: 7/0	Res: 11 /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 FINANCIAL STATEMENT FOR THE PERIOD ENDING 31 JANUARY 2012

File Ref:

Applicant: Not applicable

Location: Not applicable

Disclosure of Officer Interest None

Date: 9 February 2012

Author: Stacey Addis – Finance Officer

Authorising Officer: Brent Bailey – Deputy Chief Executive Officer

Attachments: Yes – Financial Statements

Summary:

The attached financial statements provide details of the Council's financial activities for the period ending 31 December and 31 January 2012.

Background:

Nil

Comment:

Nil

Consultation:

Not applicable.

Statutory Obligations:

Section 6.10 of the Local Government Act 1995 (as amended) makes provision for Regulations to be established for the general financial management of the local government.

Regulation 35 of the Local Government (Financial Management) Regulations 1996 requires monthly financial reports to be prepared in a prescribed manner.

Policy Implications:

There are no policy implications.

Budget / Financial Implications:

Details as per attached reports.

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 Field	Seconded: Cr Lansdown
That pursuant to section 6.10 of the Local Government Act 1995 (as amended) and Regulation 35 of the Local Government (Financial Management) Regulations 1996, the Financial Reports for the periods ended 31 January 2012 be accepted.	
Carried: 7/0	Res: 12 /12

10.1.2 ACCOUNTS FOR PAYMENT – MONTH ENDING 31 JANUARY 2012

File Ref:

Applicant: Not applicable

Location: Not applicable

Disclosure of Officer Interest: None

Date: 9 February 2012

Author: Tahnee Gairen – Finance Officer

Authorising Officer: Brent Bailey – Deputy Chief Executive Officer

Attachments: Yes – List of Accounts

Summary:

The lists of accounts paid during the months ending 31 December and 31 January 2012 are attached for Council's information.

Background:

Nil

Comment:

Nil

Consultation:

Not applicable.

Statutory Obligations:

Section 6.10 of the Local Government Act 1995 (as amended) makes provision for Regulations to be established for the general financial management of the local government. The following Local Government (Financial Management) Regulations 1996 are addressed in the following list of accounts:

Regulation 13 (2) requires list of accounts paid by authority during the month to be compiled showing:

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

Regulation 13 (3) requires the list referred to in (2) to be-

- a) presented at the next ordinary meeting of council following the preparation of the list; and recorded in the minutes of the meeting at which it was presented.

Policy Implications:

Nil

Budget / Financial Implications:

Details as per report attached.

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 Dunlop	Seconded: Cr Townsend
That pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996, the payment of accounts for the month of January 2012, be noted.	
Carried: 7/0	Res: 13 /12

10.1.3 AIRPORT SCREENING PROPOSAL

File Ref:

Applicant: Not applicable

Location: Not applicable

Disclosure of Officer Interest: None

Date: 12th February 2012

Author: Brent Bailey – Deputy Chief Executive Officer

Authorising Officer: Not applicable

Attachments: Airport Screening Project Brief and Consultants Cost provided to Councillors under separate cover.

Summary:

This item seeks a direction from Council as to the preferred method of providing Security Screening Services at the Ravensthorpe Airport, which are required under new aviation regulations.

Background:

On the 9th February 2010 the Australian Government announced the Strengthening Aviation Security Initiative which contained a number of measures to be funded by the Government, designed to strengthen Australia's aviation security regime against emerging threats.

A key component of the initiative is the provision of funding assistance to support the purchase of basic screening equipment at regional airports that need to develop a screening capability to meet regulatory changes for aircraft operating regular public transport and open charter services with a maximum take-off weight greater than 20,000kg from 1st July 2012.

Although the Government will be providing the funding associated with the upgrading of screening equipment the Shire will still be responsible for its operation and the associated costs of physically screening passengers and their luggage prior to boarding aircraft. The project brief attached to this item discusses the options of providing this service in-house or contracting the service to a third party provider.

Comment:

The Shire of Ravensthorpe Airport is faced with a tight timeline to achieve compliance with the new regulations and gain approval for a revised Transport Security Plan and Screening Authority provider endorsement. As discussed in the project brief there are a number of advantages and disadvantages associated with the provision of screening services in house compared to the utilisation of external contractors.

The recommendation from the author to pursue external parties to act as the screening authority and provide screening services is based on a risk management perspective and the total cost difference between the two options being relatively small. The additional costs of contracting screening services are expected have a minimal impact on a commercial airfare. Annually the external contracts will require approximately an additional \$70,170 in funding which is recouped through landing and passenger fees.

The management and operations of the Ravensthorpe Airport have a significant draw on Council resources at present. The additional burden of baggage and passenger screening services, if provided internally, is likely to further reduce the Shire's capacity to deliver the strategic plan and other strategic projects.

Consultation:

Office of Transport Security
Airport Personnel
Executive Team

Statutory Obligations:

Aviation Transport Security Act 2004
Aviation Transport Security Amendment Regulations 2010 (No. 2).

Policy Implications:

Nil

Budget / Financial Implications:

The new screening regulations will not come into force until next financial year and as such provisions can be made through the budget process.

Fees and charges for the Airport will be reviewed later this financial year for commencement on July 1st 2012.

Consultants' expenses in line with current provisions will be required to update the transport security plan and resource the Screening Authority application for the Ravensthorpe Airport. This is expected to cost approximately \$32,000.

Strategic Implications:

Compliance with the new regulations is mandatory for the continued operation of commercial passenger flights through the Ravensthorpe Airport.

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations.
- **Economic:**
The operation of the Ravensthorpe Airport is strategically important to the local economy and community.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Absolute Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.1.3
Moved: Cr Lansdown	Seconded: Cr Townsend
<ol style="list-style-type: none"> 1) Council note the application made for funding for screening equipment under the Strengthening Aviation Security Initiative. 2) Council endorse the utilisation of external providers to operate as the Screening Authority and provide Security Screening Services in accordance with the revised Aviation Transport Security Act 2004 and associated regulations. 3) Council authorise the Chief Executive Officer to engage suitably qualified and experienced organisations to deliver Screening Authority and Security Screening Services at the Ravensthorpe Airport. 	
CARRIED BY ABSOLUTE MAJORITY 7/0	Res: 14 /12

10.2 Manager of Planning and Development

10.2.1 APPLICATION FOR PLANNING APPROVAL FOR AN ILLUMINATED SIGN AT LOT 20 (65) MORGANS STREET, RAVENSTHORPE

File Ref:	13.0.0MOR065
Applicant:	Ms Helen Thomas on behalf of Westpac
Location:	Lot 20 (65) Morgans Street, Ravensthorpe
Disclosure of Officer Interest:	None
Date:	8 February 2012
Author:	Craig Pursey, Planning Officer
Authorising Officer:	Not applicable
Attachments:	Application Plans

Summary:

Council is requested to consider an application for an illuminated sign at the front of the Shire offices and Westpac branch. The sign is proposed to be located above the entry and below the eave.

The sign is reasonably small in scale, will have little impact upon the heritage quality of the building and will assist in identifying the bank. Approval is recommended.

Background:

Site Description

Lot 20 (65) Morgans Street, Ravensthorpe (subject site) is 1012m² in area, is located on the corner of Morgans and Carlisle Streets and is developed with the Shire offices that are collocated with a branch of the Westpac Bank.

The building is constructed up to the front and side boundaries of the property and has parking provided in the surrounding road reserves.

There is an existing modest sign identifying the building as the Shire of Ravensthorpe but no signage identifying the bank at this stage.

Heritage Listing

The subject site is listed as a place of heritage value on the Shire's adopted Municipal Inventory (M.I.) but not on the State Heritage Register. The M.I. describes the place as:

"Construction date: 1901

Originally Western Australian Bank. Previous small branch office in timber and iron with a picket fence. Opened in rented premises from 19 April 1901 on Lot 20. Bank purchased premises 29 July 1901 for 300 pounds, three rooms added for residential purposes costing 128 pounds. New premises built from imported brick, jarrah timber, stained glass window around residence door, stamp metal ceilings.

There are no Council policies or specific Scheme provisions that guide the development of properties listed only on the M.I.

Comment:

Application

An application has been lodged for a single illuminated sign over the entrance to the Westpac Bank and Shire offices at Lot 20 (65) Morgans Street, Ravensthorpe.

The sign is 1750mm long and 400mm high and is proposed to be suspended from beneath the eaves of the building. There are only two fixing points to the building.

Assessment

Schedule 3 of the Shire of Ravensthorpe Town Planning Scheme No 5 (the Scheme) lists those advertisements that are exempt from requiring planning approval. The current application does not meet any of the exemptions and requires planning approval.

The Scheme does not have specific clauses that address the appropriate scale and location of signage in the Shire.

The proposal needs to be assessed against clause 10.2 of the Scheme - "matters to be considered by a local government". This section requires assessment of the proposal against such matters as:

- j) the compatibility of a use or development with its setting;...*
- l) the cultural significance of any place or area affected by the development;...*
- o) the preservation of the amenity of the locality;...*

The sign is reasonably modest in scale and will have little effect on the streetscape. The illumination is from LED lights and will therefore be far more subtle than other lights.

Most banks usually use more signage than proposed, it appears that some concession has been made to the site's heritage listing.

On the other hand the sign may have the potential to confuse people looking for the Shire offices as it will stand out more than the existing Shire signage, this aspect can be addressed with the planned refurbishment of the building.

Heritage Consideration

The application was referred to the Shire's Regional Heritage Adviser who states:

"...I don't think there are any major issues with the sign, it doesn't overshadow or take away to a major extent from the visual appearance of the building. Obviously, it's preferable that any penetrations are kept to a minimum and that any installation is easily reversible."

The sign only has two fixing points to the building and would be easily removed and any damage easily reinstated.

Conclusion

The sign is modest in scale and will assist in directing people new to town to the Westpac branch. As there is no formal heritage listing that applies statutory controls to the subject site and the sign's installation is easily reversible approval is recommended.

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

Policy Implications:

The Council has initiated a draft Local Planning Policy to guide signage applications. The draft Policy has been placed on public advertising but not has not been progressed further at this stage.

Budget / Financial Implications:

Nil

Strategic Implications:

Nil

Sustainability Implications:

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

Voting Requirements:

Simple Majority

OFFICER RECOMMENDATION

ITEM 10.2.1

That Council approve the application for an illuminated sign at Lot 20 (65) Morgans Street, Ravensthorpe.

COUNCIL DECISION

ITEM 10.2.1

Moved: Cr Norman

Seconded: Cr Duncan

That Council invite Westpac to prepare a report on the installation and operation of a 24 Hour ATM at the Ravensthorpe in-store branch and determination of the form, location and size of the proposed advertising sign be deferred pending receipt of Westpac's report on the ATM installation.

Carried: 7/0

Res: 15 /12

10.2.2 PROPOSED 132KV POWER LINE AND EASEMENT – RESERVE 8812, “RABBIT PROOF FENCE”
File Ref:**Applicant:** Department of Regional Development and Lands**Owners:** Crown Land**Disclosure of Officer Interest:** None**Date:** 8 February 2012**Author:** Craig Pursey, Planning Officer**Authorising Officer:** Not applicable**Attachments:** Referral letter and accompanying information**Summary**

The Department of Regional Development and Lands (RDL Lands) is seeking Councils comments on a proposal to construct a new 132KV power line from the Kondinin Substation to the FQM Australia Nickel mine site along the alignment of the Rabbit Proof Fence.

The Rabbit Proof Fence lies within Reserve 8812, a reserve that is managed by the Department for Agriculture and Food WA (DAFWA). Due to its alignment along the rabbit proof fence there is little anticipated impact and great potential benefit from this additional infrastructure to the region.

It is recommended that RDL Lands be advised that Council has no objection to the proposed power line or easement.

Background

Nil

CommentProposal

RDL Lands has been approached by FQM Australia Nickel with a proposal to construct a power line commencing at the existing 132KV transmission line where it intersects Reserve 8812 (Rabbit Proof Fence reserve) in the north, southwards to the FQM mine.

The proposed power upgrade is necessary to develop FQM's existing mining operations to full potential and is expected to provide additional benefits for the whole Ravensthorpe area.

DAFWA, the managers of the reserve, have indicated their conditional support for the proposal.

The 132KV power line is proposed to run along the alignment of the rabbit proof fence, a 20.12m wide reserve that runs *roughly* north-south through the northern half of the Shire. The eastern side of the rabbit proof fence reserve is Unallocated Crown Land or reserve land for virtually its full length through the Shire. The western edge of the rabbit proof fence reserve runs adjacent to Nindilbilup and Clarke Roads (both undeveloped), opposite farming properties for some distance and through other undeveloped reserves. Whilst there are farms there does not appear to be any housing within close proximity to the rabbit proof fence reserve.

The power poles are proposed at 9.5m to 12.5m depending upon terrain and are to be galvanised.

A full copy of the proposal is attached to this report.

Assessment

Reserve 8812 appears to be identified as "No Zone" in the Scheme. This classification generally applies to road reserves. Therefore there are no specific clauses in the Scheme that apply to the proposal.

Clause 10.2 "Matters to be Considered by the Local Government" include the following relevant clauses that may assist in guiding the assessment of the current proposal:

- j) "the compatibility of a use or development with its setting;*
- k) any social issues that have an effect on the amenity of the locality;*
- l) the cultural significance of any place or area affected by the development;*
- 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;...*
- o) the preservation of the amenity of the locality..."*

The rabbit proof fence is seen as an ideal alignment as it has gravel standard road access along its entire length and no clearing of vegetation is required. There are few properties adjacent to the line, no housing and therefore limited impact on the landscape that may arise from this alignment.

The additional infrastructure and benefits to the district should be taken into account when considering this proposal.

It is recommended that Council offer no objection to both the proposed power lines and the easement required to facilitate it.

Statutory Obligation

The application has been referred to Council under the requirements of Land Administration Act 1997, section 144 where the RDL is required to seek the consent of every party with an interest in the land.

Policy Implications

Nil

Budget /Financial Implications

Nil

Strategic Implications

Nil

Sustainability implications

- **Environmental**
There are no known significant environmental considerations.
- **Economic**
There may be ongoing benefits to the Shire with the improvement in electricity infrastructure this project will bring to the region, particularly continued employment at the Ravensthorpe Nickel Operation.
- **Social**
There are no known significant social considerations.

Voting Requirements

Simple Majority.

OFFICER RECOMMENDATION	ITEM 10.2.2
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That Council raise no objection to the proposed power lines and the easement required to facilitate the power lines.	
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COUNCIL DECISION	ITEM 10.2.2
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Moved: Cr Goldfinch	
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	Seconded: Cr Townsend
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That Council raise no objection to the proposed power lines and the easement required to facilitate the power lines and notify the RDL of the poor supply of power to Ravensthorpe and surrounding regions and ask that this be taken into account when considering the proposed infrastructure.	
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Carried: 7/0	
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	Res: 16/12
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10.2.3 PROPOSED EXHIBITION CENTRE FOR DISPLAY OF VINTAGE MACHINERY No. 84 (LOT 784) cnr. MORGAN & ANDRE STREETS, RAVENSTHORPE
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File Ref:	13.0.0.MOR084
Applicant:	Ravensthorpe Historical Society
Location:	Reserve 43571, Lot 784 Morgans Street, Ravensthorpe
Disclosure of Officer Interest:	None
Date:	8 February 2012
Author:	Craig Pursey (Planning Officer)
Authorising Officer:	Not applicable
Attachments:	Site Plan & Elevations Plan Cuballing example images

Prior to any consideration of Item 10.2.3 Cr Goldfinch made the following declaration:

I am married to the Chair Person of the Ravensthorpe Historical Society 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 10.2.3 Cr Norman made the following declaration:

I am married to the Treasurer of the Ravensthorpe Historical Society 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.

Summary

Council approved an exhibition centre for the display of agricultural machinery at their meeting in July 2011. Amended plans for the proposed exhibition centre at Lot 784 Morgans Street, Ravensthorpe have now been lodged for Councils consideration.

The plans are generally an improvement on the previous concept with less earthworks, retaining and a slightly smaller scale building.

It is recommended that the application be approved subject to conditions.

Background

Lot 784 Morgans Street, Ravensthorpe (Reserve 43571) is 1012m² in area and zoned 'Town Centre' under the Shire of Ravensthorpe Town Planning Scheme No.5 (the Scheme). The Reserve is managed by the Shire of Ravensthorpe for Museum and Tourism purposes.

The site is located opposite the Tourist Information Centre and is currently undeveloped. The only feature of the site is a large fig tree located in the road reserve immediately along the eastern boundary of the site.

The subject site slopes gently down from the west and to the rear of the site. Further investigations of the site have identified large areas of rock beneath the surface that have added to construction costs.



Subject site and its relationship to the existing tourist centre (LandGate 2007)

Previous consideration

Council considered an application for an exhibition centre on this site consisting of two outbuildings; one large occupying the majority of the site and smaller shed that would front Morgans Street. At their meeting of 21 July 2011 Council considered this application and resolved as follows:

“That Council grant Planning Approval for the proposed ‘Exhibition Centre’ use and development of 2 Open-Sided Outbuildings on No. 84 (Lot 784) cnr. Morgan & Andre Streets, Ravensthorpe subject to the following conditions:

- 1) The development to be in accordance with the attached stamped approved plans and where marked in red.*
- 2) The outbuilding roofs to be clad in a suitably coloured (brown or green tonings) material to the satisfaction of the Chief Executive Officer.*
- 3) The stormwater from the outbuildings to be disposed of on-site, unless discharge to the Shire’s drainage network in the street has been approved by the Chief Executive Officer.*
- 4) The proponents providing written undertaking to the satisfaction of the Chief Executive Officer agreeing to assist maintain the existing fig tree on Andre Street and that it will be protected from all future works and impacts.*
- 5) The proponents undertaking landscaping of 10% of the site (being 100m²) in accordance with a Landscape Plan prepared by the proponents and approved by the Chief Executive Officer.*
- 6) The proposed site works, retaining walls and ramp shall be require Shire approval before commencing and the retaining walls and ramp require a Building Licence to be issued prior to construction commencing.*

- 7) *Vehicle access/egress to the site shall be from Andre Street only and any proposed crossover shall be located, designed and constructed to the satisfaction of the Chief Executive Officer.*
- 8) *Pedestrian access/egress to the site is permitted from Morgan Street.*
- 9) *The proponents showing that car parking bays can be provided on-site at the rate of 1 bay per employee/volunteer (or a maximum of 5 bays) and suitable arrangements being made for visitor parking.*
- 10) *The proponents achieving acceptable standards for access to the site and buildings by disabled persons.*
- 11) *Any signs require separate planning approval to be granted.*

Advice Notes:

- i) *In relation to condition 5) above, the Landscape Plan shall incorporate appropriate local tree and shrub species and provide details on the means for maintaining the plantings through to maturity (3 years from planting). The design of the landscaping shall aim to reduce the bulk and size of the outbuildings when viewed from the adjoining streets."*

This application has been abandoned by the applicant due to cost of retaining walls and concrete flooring and the discovery of an alternative building style for the site.

Comment

Proposal

The proposed exhibition centre is to be used by the local museum community group for the storage and display of vintage machinery from the district.

Amended plans have been lodged for Council's consideration that show:

1. A light weight dome/half tunnel structure 36m long by 12m wide that will house the vintage machinery; The open-sided wall height is 2.4m and ridge height is 4.8m to the top of the arch. This structure is to be setback from Morgans Street by 11m with the frontage landscaped and places for visitors to sit provided;
2. Retention of the small "sulky shed" along the Morgans Street frontage.
3. Retention of the fig tree;
4. Use of compacted gravel flooring; and
5. No retaining walls required as the current proposal works with the natural topography.

A similar building has been placed for the same purpose in the Cuballing Townsite. Images of this structure are attached to this report to provide a working example of what this may look like, minus the security fence.

A full copy of the plans is attached to this report.

Assessment

The current proposal has the following benefits over the previous proposal:

- There are no retaining walls that create drainage issues, additional cost and have an impact on the streetscape;
- The Morgans Street frontage is landscaped to soften the impact of the development behind but still allow a street presence for the exhibition centre;

- The structure, whilst more light weight in appearance, will protect the machinery and allow for its viewing beneath; and
- The flooring will be compacted stabilized gravel and will have less impact on the site and be less expensive.

As the site is reserve managed by the Shire its use may change over time and a light weight structure with no retaining walls and footings rather than a complete concrete floor allows for a more flexible use of the site over time.

The exhibition centre will be open-sided and only occupy the central, flatter portion of the subject site. The use of landscaping and a larger setback at the frontage to Morgan Street to conceal the larger one along Andre Street is appropriate.

The fig tree on Andre Street is an important part of the existing verge and streetscape and its retention should be reinforced through conditions on the development. Additional landscaping of 10% of the site is recommended to assist reduce the visual impression of the building when viewed from along the adjoining streets.

The site is adjacent to the existing Museum site offers a good location to generate interest in the display and capitalise on the visitors to the centre. It will also assist in generating opportunities for other businesses as it keeps visitors in the town for longer and creates an additional point of interest.

Scheme Requirements

The Scheme does not prescribe any development standards for this type of development and Council is required to determine those standards accordingly to be placed as condition on the approval.

The proposed use of the land and outbuildings is consistent with the land use class 'exhibition centre' which means premises **used for the display of materials of an artistic, cultural or historical nature, and includes a museum** or art gallery and may include sales of such items (emphasis added). This is a permitted use within the Town Centre zone.

Schedule 13 'Car Parking Standards for Commercial, Public and Community and Industrial Uses' requires car parking for exhibition centres to be provided at a ratio of 1 bay per 20m² net lettable area. Given that the proposal does not include a 'commercial' aspect to the display; it is recommended that Council set the required parking at 1 per employee/volunteer (or a maximum of say 5 bays) which is expected to be able to be accommodated on-site or in the adjacent road reserve.

In summary, given the unique nature of the proposal being to use open-sided outbuildings as a museum displaying vintage machinery and that the proponents are a community group formed for that purpose, it is considered appropriate that approval be granted subject to conditions.

Statutory Obligation:

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. The objectives (c.4.2) of the Town Centre zone are:

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

The proposed use of the building is consistent with the land use class 'exhibition centre' which is defined (Schedule 1) as:

means premises used for the display of materials of an artistic, cultural or historical nature, and includes a museum or art gallery and may include sales of such items.

An 'exhibition centre' is a 'P' permitted use in the Town Centre zone (Zoning Table & Use Classes). A permitted use (c.4.3.2) means:

That the use is permitted by the Scheme providing the use complies with the relevant development standards and requirements of the Scheme.

Council is required to consider the proposal against the criteria set out in Clause 10.2. Clause 10.2 'Matters to be Considered by Local Government' (which contains 28 separate matters) of which those considered relevant to this application are as follows:

- a) *The aims and provisions of this Scheme and any other relevant town planning scheme(s) operating within the Scheme Area;*
- c) *The requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;*
- j) *The compatibility of a use or development within its setting;*
- k) *Any social issues that have an effect on the amenity of the locality;*
- l) *The cultural significance of any place or area affected by the development;*
- n) *Whether the land to which the application relates is unsuitable for the proposal by reason of it being, or likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire or any other risk;*
- 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;*
- q) *Whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;*
- r) *The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
- v) *Whether adequate provision has been made for access by disabled persons;*
- w) *Whether adequate provision has been made for landscaping of the land to which the planning application relates and whether any trees or other vegetation on the land should be preserved;*
- bb) *Any other planning consideration the Local Government considers relevant.*

The proposal is considered compliant with the relevant matters to be considered and may be approved subject to conditions to impose relevant standards on the use and development 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:

Nil

Budget /Financial Implications:

Should Council refuse the application or place a condition that is unacceptable to the applicant, the applicant can appeal the matter to the State Administrative Tribunal. As such, there would be costs to defend an appeal and the amount of those costs cannot be determined at this time.

Strategic Implications:

Nil

Sustainability implications

- **Environmental:**

There are no known significant environmental considerations.

- **Economic:**

There are no known significant economic considerations.

- **Social:**

There are no known significant social considerations.

Voting Requirements

Simple Majority.

OFFICER RECOMMENDATION

ITEM 10.2.3

That Council approve the amended plans for the proposed 'Exhibition Centre' on No. 84 (Lot 784) cnr. Morgan & Andre Streets, Ravensthorpe subject to the following conditions:

- 1) The stormwater from the outbuildings to be disposed of on-site, unless discharge to the Shire's drainage network in the street has been approved by the Chief Executive Officer.
- 2) The proponents providing written undertaking to the satisfaction of the Chief Executive Officer agreeing to maintain the existing fig tree on Andre Street and that it will be protected from all future works and impacts.
- 3) The proponents undertaking landscaping of 10% of the site (being 100m²) in accordance with a Landscape Plan prepared by the proponents and approved by the Chief Executive Officer.
- 4) Vehicle access/egress to the site shall be from Andre Street only and any proposed crossover shall be located, designed and constructed to the satisfaction of the Chief Executive Officer.
- 5) Pedestrian access/egress to the site is permitted from Morgan Street.
- 6) The proponents showing that car parking bays can be provided on-site at the rate of 1 bay per employee/volunteer (or a maximum of 5 bays) and suitable arrangements being made for visitor parking.
- 7) The proponents achieving acceptable standards for access to the site and buildings by disabled persons.
- 8) Any signs require separate planning approval to be granted.

Advice Notes:

- i) In relation to condition 3) above, the Landscape Plan shall incorporate appropriate local tree and shrub species and provide details on the means for maintaining the plantings through to maturity (3 years from planting). The design of the landscaping shall aim to reduce the bulk and size of the outbuildings when viewed from the adjoining streets."

COUNCIL DECISION AND OFFICER RECOMMENDATION**ITEM 10.2.3**

Moved: Cr Lansdown

Seconded: Cr Duncan

That Council approve the amended plans for the proposed 'Exhibition Centre' on No. 84 (Lot 784) cnr. Morgan & Andre Streets, Ravensthorpe subject to the following conditions:

- 1) The stormwater from the outbuildings to be disposed of on-site, unless discharge to the Shire's drainage network in the street has been approved by the Chief Executive Officer.
- 2) The proponents providing written undertaking to the satisfaction of the Chief Executive Officer agreeing to maintain the existing fig tree on Andre Street and that it will be protected from all future works and impacts.
- 3) The proponents undertaking landscaping of 10% of the site (being 100m²) in accordance with a Landscape Plan prepared by the proponents and approved by the Chief Executive Officer.
- 4) Vehicle access/egress to the site shall be from Andre Street only and any proposed crossover shall be located, designed and constructed to the satisfaction of the Chief Executive Officer.
- 5) Pedestrian access/egress to the site is permitted from Morgan Street.
- 6) The proponents showing that car parking bays can be provided on-site at the rate of 1 bay per employee/volunteer (or a maximum of 5 bays) and suitable arrangements being made for visitor parking.
- 7) The proponents achieving acceptable standards for access to the site and buildings by disabled persons.
- 8) Any signs require separate planning approval to be granted.
- 9) That all displays, exhibits and machinery be visually attractive, be restored and maintained so as not to detract from the amenity of the site.

Advice Notes:

- i) In relation to condition 3) above, the Landscape Plan shall incorporate appropriate local tree and shrub species and provide details on the means for maintaining the plantings through to maturity (3 years from planting). The design of the landscaping shall aim to reduce the bulk and size of the outbuildings when viewed from the adjoining streets."

Amendment moved Cr Duncan

That the 'Exhibition Centre' be split with restored machinery in the front and unrestored at the back, behind a partition.

Amendment withdrawn by mover.

Motion put and carried: 5/2

Res: 17 /12

10.2.4 PROPOSED OVER-HEIGHT OUTBUILDING AT LOT 705 PLATYPUS ROAD, HOPETOUN

File Ref:	13.0.0.PLA070
Applicant:	Loyd & Sandra Collins
Location:	No. 70 (Lot 705) Platypus Road, Hopetoun
Disclosure of Officer Interest:	None
Date:	10 February 2012
Author:	Craig Pursey, Planning Officer
Authorising Officer:	Not applicable
Attachments:	Site, floor and elevation plans Supporting letter from applicant

Summary:

A Single House was approved for Lot 705 Platypus Road, Hopetoun in August 2010 that has now been completed. The applicant now wishes to construct an outbuilding.

The outbuilding complies with all aspects of Council's requirements for outbuildings in this zone with the exception of the roof height. A higher roof height has been requested to hold solar panels on the correct angle and in order to store a boat on trailer.

The proposed relaxation of Council requirements is minor and it is recommended that Council issue a conditional planning approval for the proposed outbuilding.

Background:
Subject Site

Lot 705 (#70) Platypus Road, Hopetoun (the subject site) is 1.97ha in area, cleared and has no remnant vegetation.

The subject site is developed with a single storey residence completed late last year.

The site is zoned Rural Small Holdings Area 4 under the Shire of Ravensthorpe Town Planning Scheme No.5 (the Scheme). The objective of this zone is "...for rural lots used for residential purposes in conjunction with a rural pursuit such as hobby farming or keeping animals."

Previous Applications

A Single House was approved on the site under delegated authority on the 16 August 2011.

Comment:
Proposal

The proposed outbuilding will have a floor area of 150m² and be constructed of steel frames and clad with colorbond metal sheeting (Pale Eucalypt) to complement the new dwelling. The wall height is 3m with the ridge height of 5.02m.

The outbuilding is proposed to be setback 37m from Platypus Road and 25m from the closest side boundary.

The application seeks relaxations of the maximum permitted roof height stipulated in Local Planning Policy 5 by 0.52m. The applicant has provided information supporting the proposal that includes the following points:

"The reason I need to have a variation to the roof height is because I need a 22 degree roof pitch for Solar Panel system fitment. I will need a wall height of approximately 3 Metres, so that I can get a boat in the shed.

With the roof pitch at 22 degrees, and a wall height of 3 metres the height of the apex will be 5.02m - .502m above the Scheme allowance, plus of course concrete floor and sand pad thickness."

... I need the floor area (roof area) to catch rainfall as we are not on the scheme water in Steeredale Meadows."

A full copy of the application and supporting letter are attached to this report.

Scheme Requirements

The setback provisions for Rural Small Holding Zone 4 require:

"No building or structure shall be erected closer than:

- 25m from a street frontage;*
- 20m from any other boundary;*

The application complies with all setback requirements.

Local Planning Policy No.5 Outbuildings in the Rural Small Holding and Rural Conservation Zones (LPP5)

"The primary objectives of this Policy are to:

- 1. Recognise the unique characteristics of rural residential development within the shire as it relates to outbuilding size and construction.*
- 2. Provide Acceptable Development standards for outbuildings in rural residential areas."*

The table below shows the applicable requirements.

	Maximum Height (metres)	Wall	Maximum Height (metres)	Ridge	Maximum floor area (aggregate)
Requirements for Rural Residential < 2ha lot size	3.8		4.5		150m ²
Proposed	3.0		5.02		150m ²

The proposed outbuilding seeks a variation on the maximum roof height.

The Policy outlines matters to be taken into consideration by Council in considering Policy variations such as:

1. *“Consistency with the primary objectives of this Policy;*
2. *The likely impact on the amenity of the locality and adjoining properties including:*
 - *The visibility of the proposed outbuilding(s) as viewed from a street, public space or neighbouring property;*
 - *The need for removal of any native vegetation or major trees;*
 - *Preservation of useable on site open space areas;*
 - *The ability for the outbuilding(s) to be screened by existing or proposed landscaping; and/or*
 - *The impact of the development on streetscape and the character of the area.*
3. *Whether support for the application will set an undesirable precedent for similar sized outbuildings on surrounding lots;*
4. *Comments from adjacent neighbours/landowners;*
5. *Where a variation to the maximum area and/or height is requested that the applicant demonstrates that the outbuilding is essential for storage of goods or vehicles that the applicant has demonstrated they own;*
6. *The objectives of the zone;*
7. *All relevant general matters as set out in Clause 10.2 of the Scheme; and*
8. *Any other matter considered relevant by the Council.”*

Whilst there is a question of precedent whenever Council makes a decision to vary a Policy, it is important that Council recognises that the Policy is a guideline only and each application still needs to be based on its individual merit. The main considerations in examining the proposed outbuilding are increased height, visual impact, amenity and streetscape.

It is recommended that Council approve the over-height outbuilding application for the following reasons:

1. The colour of the outbuilding is to blend with the existing house and there will be no use of reflective materials;
2. The applicant has demonstrated that they have a requirement for additional height needing to store a standard boat and allow for the effective location of solar panels. Additionally the additional roof height will give greater surface area for the collection of water; and
3. The size and location are compliant; the impact of an additional 500mm on the streetscape and neighbouring properties is negligible. The views are to the west; the properties that would be looking to this view are separated from the subject site by a road and are slightly uphill from the subject site. The additional height will not affect views from adjoining properties. The difference in height is minor.

Conclusion

The proposed outbuilding requests a concession on maximum roof height.

The proposed location and additional height will not affect neighbouring landowner's views and the effect on the streetscape is negligible.

Conditional approval is recommended.

Consultation:

Whilst the Policy recommends referral to neighbouring landowners, the policy is a guideline only. Referral to neighbours is not a Scheme requirement. The applicant has completed their house and is looking to move into the premises as soon as possible. Due to the minor nature of the application and the short time frames staff chose to expedite the processing of the application and not refer it to neighbours for comment.

Should Council wish to refer the application to neighbouring property owners the matter may be laid on the table, referred to neighbouring landowners and presented back to Council's next meeting.

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 present policy 'Outbuildings in the Rural Conservation & Rural Small Holding Zones' is an adopted policy under Part 2 of the Scheme. The powers of an adopted policy are set out in clause 2.3 below:

2.3 Relationship of Local Planning Policies to Scheme

- 2.3.1 *If a provision of a Local Planning Policy is inconsistent with the Scheme, the Scheme prevails.*
- 2.3.2 *A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.*

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

Policy Implications:

As described in the body of this report.

Budget / Financial Implications:

The applicant has included the appropriate planning application fee as determined under the 2011/2012 Schedule of Fees and Charges.

Should Council refuse the application and the applicant decide to appeal the matter to the State Administrative Tribunal, there would be costs to defend any appeal. The amount of those costs cannot be determined at this time.

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 10.2.4
Moved: Cr Dunlop	Seconded: Cr Townsend	
That Council;		
1.	Approve the application for an outbuilding on No. 70 (Lot 705) Platypus Road, Hopetoun subject to the following conditions:	
	a) The outbuilding being used for domestic storage only and not for human habitation.	
	b) All stormwater from roofed and paved areas shall be collected and disposed of on-site to the satisfaction of Council.	
	c) The walls and roof of the outbuilding are to be constructed in non-reflective materials that blend with the approved dwelling.	
2.	Advise the applicant that;	
	(i) Planning approval should not be construed as an approval to commence works as a separate building licence is also required.	
Carried: 7/0		Res: 18 /12

10.2.5 PROPOSED SUBDIVISION GUIDE PLAN – LOT 52 LESCHENAULTIA DRIVE, HOPETOUN

File Ref:	14.4.5.12
Applicant:	Ayton Baesjou Planning
Location:	Lot 52 Lechenaultia Drive, Hopetoun
Disclosure of Officer Interest:	None
Date:	14 February 2012
Author:	Craig Pursey, Planning Officer
Authorising Officer:	Not applicable
Attachments:	A – Existing Subdivision Guide Plan B – Schedule of Modifications C – Plan of recommended changes D– Development Envelope and Building Protection Area Plan

Summary:

Council is to consider adopting a Subdivision Guide Plan (SGP) for Lot 52 Lechenaultia Drive, Hopetoun for final approval.

Council adopted the draft SGP in November 2011, the SGP was advertised for public comment and a number of submissions have been received.

This report recommends adopting the Subdivision Guide Plan for Lot 52 Lechenaultia Drive, Hopetoun for final approval subject to a number of modifications and that it be forwarded to the WAPC for final endorsement.

Background:*Site Description*

Lot 52 Leschenaultia Drive, Hopetoun (Lot 52) is located approximately 3km to the north of the Hopetoun townsite. Steeredale Road runs along the northern boundary of Lot 52.

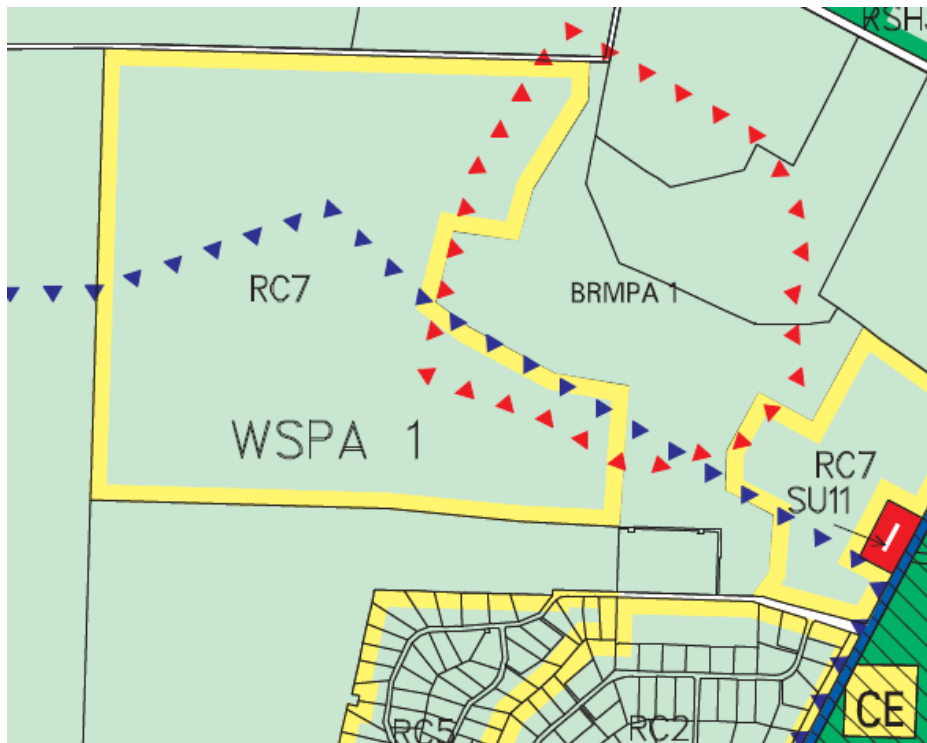
Lot 52 is 319.81ha in area. The site has been largely cleared in the past, the entire site is revegetating well. A site plan of Lot 52 is provided overleaf; the aerial photo in this site plan is dated.

The land immediately to the east of Lot 52 was all under the same ownership until the land was rezoned in 2009. It contains a gravel and limestone quarry and wind turbines as well as a portion of land also zoned Rural Conservation Area 7.

Zoning

Scheme Amendment 12 of the Shire of Ravensthorpe Town Planning Scheme No 5 (the Scheme) was gazetted in April 2009. This Amendment changed the zoning of a large parcel of land on the corner of Steeredale Road and the Hopetoun-Ravensthorpe Road from 'General Agriculture' to 'Rural Conservation Area No.7' (RCA7) and created a number of 'Special Control Areas' that reflect the sites various constraints. The zoning plan is provided below.

The Special Control Area (SCA) for Water Supply Protection extended over most of Lot 52 until recently. The Department of Water have completed hydrological studies that have redefined the ground water areas in the locality and the SCA has correspondingly shrunk to the current dimensions.



Lot 52 zoned 'Rural Conservation Area 7' with a two 'Special Control Areas' applicable:

- Water Supply Protection Area' in the south; edged triangles,
- Basic Raw Materials Protection Area in the west; edged in triangles

Previous Council decision – November 2011

Council considered a draft SGP for Lot 52 at its November 2011 meeting where it was resolved as follows:

"That Council,

- 1. Adopt the draft Subdivision Guide Plan for Lot 52 Leschenaultia Drive, Hopetoun as shown at Attachment B of this report for the purposes of advertising;*
- 2. Advertising is to include letters to adjoining landowners, relevant government agencies and an advertisement in the local newspaper.*
- 3. The Subdivision Guide Plan is to be advertised for public comment for a period of 21 days."*

Comment:

Proposal

Ayton Baesjou Planning have prepared a draft Subdivision Guide Plan (SGP) for Council's consideration over Lot 52 Lechenaultia Drive, located in the western portion of RCA7. The SGP consists of the following elements:

- 197 lots with lot sizes varying between 1 and 4 ha in area, broken down as follows:
 - 16 four hectare lots along the southern boundary of the SGP area as a buffer to the Priority 1 ground water protection area to the south;
 - 43 two hectare lots within the 'Water Supply Protection Area'

- 138 one hectare lots in the northern half of the SGP, a portion of which lie in the 'Water Supply Protection Area'.
- 2. A permeable road network connecting Leschenaultia Drive and Steeredale Road to the north;
- 3. Development exclusion areas protecting the existing shelter belt that runs east-west through Lot 52;
- 4. Building envelopes to keep house sites outside of buffers where necessary;
- 5. A design response to the various Special Control Areas that affect the development potential of lots on the site.

A full copy of the SGP and supporting documentation are found at Attachment A.

Assessment

The role of the Council at this stage of the assessment process is to review the submissions received during the public advertising period and make changes to the document as necessary.

Of the six (6) submissions received during public advertising all were from government agencies. These are summarised in the Schedule of Submissions at Attachment B along with an assessment of the submission and recommendations as to how the submission should be addressed.

The Schedule of Submissions makes recommendations as to whether submissions should be dismissed, noted or upheld and makes recommendations for changes to the SGP accordingly.

The majority of the issues raised have not resulted in sweeping changes to the SGP document. Many of the comments raised can be adequately dealt with at the subdivision stage. However, there are a number of changes recommended that achieve:

- Changes to the Plan to allow for the strengthening and widening of an east-west ecological corridor;
- Further explanations added to the supporting Planning Report and a clear link made between the Plan and the supporting report; and
- Some administrative requirements added.

Modifications

The Schedule of Submissions at Attachment B recommends eight modifications. The Schedule of Submissions goes into detail in responding to the submissions received and forms part of this report. The major modifications recommended by this report are presented in more detail below.

Water Supply

The Scheme requires provision of a reticulated water supply to lots below 2 ha in area. A number of lots are proposed at 1ha. The Water Corporation has indicated that there may be major infrastructure upgrades required to provide reticulated water to the site. On the other hand the Department of Water has indicated that they prefer on-site water provision in this instance.

There are a number of alternative solutions to providing water to the future subdivision that may be explored at the subdivision stage. The Council may choose to relax the Scheme

provision requiring reticulated water at this time or it may insist upon it. Whether water is provided or not is largely immaterial to the proposed SGP; this is an overlay plan only used to guide and coordinate future subdivision and development.

The only implication for the SGP is that the 1ha lots proposed may need to be removed and replaced with 2ha lots at the time of subdivision. This is easily accommodated. A simple modification to the Planning Report indicating acceptance of the fact that reticulated water may not be available and that the SGP design may be affected is recommended.

Ecological Corridors & Vegetation

The DEC raised concerns that the previously agreed east-west ecological corridor to be secured through the middle of the site was not clearly shown on the SGP. Additionally, there were discrepancies in the way in which the existing vegetation was described and accommodated.

Modifications are recommended that secure and strengthen the east-west ecological corridors through the site by adding development control measures to the Plan and placing supporting information in the Planning report.

Fire Management

A Fire Management Strategy was adopted for this site and all of the properties to the west that were once a single landholding. This Fire Management Strategy identifies the general fire management requirements for the area and substantiates that the site is capable of being developed given the particular site characteristics.

The DEC has raised many concerns with ensuring that the SGP achieves a balance between fire management and safety and the retention of vegetation. The Scheme requires that a detailed Fire Management Plan is to be prepared for the site at the time of subdivision. It also clearly states that all subdivision and development will be bound by the recommendations of this Fire Management Plan.

Therefore, this report recommends:

1. Additional supporting text explaining how fire management requirements and preservation of the environment are to be balanced in this development;
2. Information being added to the Planning Report that the developer accepts that the detailed Fire Management Plan may result in changes to the final subdivision design; and
3. A note being added to the Subdivision Guide Plan highlighting the fact that Provision 7b of Schedule 9 of the Scheme requires all development and subdivision meet the requirements of the Fire Management Plan.

This last point is important as over time assessing officers use the the Scheme Provisions but can lose trace of important details contained in Fire Management Plans.

Administrative Requirements

Once a SGP is adopted the Planning Report is often forgotten which results in a lack of understanding by Council officers and Councillors as to the background and reasons for specific measures included in the SGP. Additionally, come subdivision time some of the key issues may be lost with the passing of time.

This report recommends some additional information and explanation be added to the Planning Report that supports the SGP (see attachment B for details). It also recommends a note be added to the SGP that references and links the SGP to the correctly dated Planning Report. The date has not been included in the modification as the final version of the Planning Report has to be finalised.

Finally, a signature block needs to be added to the SGP to date the final adoption of the SGP.

Subdivision Guide Plan Clarity

The road running along the northern boundary of the subject site is shown as a Strategic Fire Break. This may cause some confusion at the time of subdivision.

It may be a SFB during early stages of the subdivision but will be a road in the final product. The SGP should be modified to clearly show that the subdivider will be responsible for the construction of this road.

Conclusion

The proposed SGP largely responds to the Scheme requirements and the site's opportunities and constraints.

Whilst the SGP design is sound, there are a number of issues raised in the submissions that require addressing. A SGP with suggested modifications highlighted in red has been provided at Attachment C that effectively summarises the recommended modifications to the SGP.

Consultation:

The SGP was advertised for a period of 21 days in the following manner:

- Adverts in the local papers; and
- Individual letters to government agencies and surrounding landowners

The advertising period closed on the 13 January 2012 during which time a total of 6 submissions were received. These are summarised in a Table of Submissions – Attachment B.

A wide variety of issues were raised in the submissions, these are discussed in the comments section of this report above.

Statutory Obligations:

The Scheme requires that subdivision or development in Rural Conservation Area 7 is to be in accordance with an adopted Subdivision Guide Plan. This is required to be endorsed by the WAPC.

If adopted by Council the SGP will be referred to the WAPC for endorsement and then modifications to the Planning Report and SGP will be made as agreed by the WAPC.

Policy Implications:

None applicable

Budget / Financial Implications:

There are no direct financial implications for Council resulting from the recommendations of this report.

Strategic Implications:

The SGP for this area will enable the further subdivision of additional rural residential lots in reasonable proximity to Hopetoun townsite in accordance with the recommendations of the adopted Local Planning Strategy.

Sustainability Implications:

- **Environmental:**
Issues with remnant vegetation, fire management and water supply are discussed in the body of this report.
- **Economic:**
There are no known significant economic considerations.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Simple Majority

OFFICER RECOMMENDATION**ITEM 10.2.5**

1. Adopt the Subdivision Guide Plan for Lot 52 Lechenaultia Drive, Hopetoun subject to
 - i) A signature block being added to the Subdivision Guide Plan;
 - ii) The northern road being clearly identified as a road and that it is to be constructed by the developer at the time of subdivision; and
 - iii) The recommended modifications outlined at Attachment B – Schedule of Modifications.
2. Forward the Subdivision Guide Plan, Schedule of Submissions and a copy of all submissions to the Western Australian Planning Commission for final endorsement.

**COUNCIL DECISION AND OFFICER ALTERNATIVE
RECOMMENDATION****ITEM 10.2.5**

Moved: Cr Norman

Seconded: Cr Duncan

That Council lay the matter on the table until the March 2012 Council meeting in order for the proponent to prepare the following documentation and additional information for Council's consideration:

1. More detailed fire management information addressing how each proposed lot will achieve an acceptable level of development that will balance the retention of vegetation with the requirements of fire management measures and how these measures will be managed into the future to the satisfaction of FESA and the Shire;
2. Determine the appropriate ownership and management for the east-west ecological corridors;
3. Review the proposed minimum lot sizes;
4. Further information on whether reticulated water will be provided; and
5. A formal response from the DEC confirming acceptance of the proposed subdivision guide plan.

Reason for alternative recommendation:

- The Council remain unconvinced that the current subdivision layout will be possible given the likely fire management requirements and the fact that the availability of reticulated water is unknown;
- The ownership of the ecological corridors may be best handled in public ownership and this should be considered as part of the proposal;
- The Scheme requires a minimum lot size of 2 hectares unless reticulated water is provided. The current proposal is for a number of 1hectare lots, without knowing if reticulated water will be available. Adopting the Subdivision Guide Plan without knowing if water is available may have ramifications for minimum lot size and the guide plan design and this should be agreed before finally adopting the plan; and
- The COUNCIL DECISION AND OFFICER RECOMMENDATION makes a number of recommended modifications, if the proposal is laid on the table for a month these changes may be included in the document up front resulting in a clearer understanding of the final design.

Carried: 4/3

Res: 19 /12

10.3 Manager of Engineering Services

10.3.1 COCANARUP INFORMATION BAY – CONTRIBUTION TO THE CONSTRUCTION OF HARDSTAND AREA

File Ref:

Applicant: Not applicable

Location: Not applicable

Disclosure of Officer Interest: None

Date: 15 February 2012

Author: Leslie Hwer (Engineering Consultant)

Authorising Officer: Pascoe Durtanovich - Chief Executive Officer

Attachments: None

Prior to any consideration of Item 10.2.3 Cr Goldfinch made the following declaration:

I am married to the Chair Person of the Ravensthorpe Historical Society 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 10.2.3 Cr Norman made the following declaration:

I am married to the Treasurer of the Ravensthorpe Historical Society 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.

Summary:

Council direction is required on contributing to the construction of the hardstand area for the Cocanarup Information Bay.

Background:

At its Council meeting of 22nd December 2009 Council resolved to;

“support the establishment of an Information Bay/Rest Area on the south side of South coast highway, east of Phillips River, 14 kms from Ravensthorpe subject to approval from the Main Roads WA and the Dept. of Indigenous Affairs.”

Members of the Society have applied for and been granted permission to construct the information bay at the site by the Main Roads Department and have cleared the land to DEC requirements.

The Society has now approached Council to further assist by contributing to the construction of an access way and information bay.

The contribution that the Society is requesting is for the supply of suitable plant and equipment to assist with the construction works. The estimated cost for this is in the vicinity of \$18,000.00.

Comment:

There is no allocation of funds for this project so money will need to be diverted from other projects. Volunteers will assist with the works, this would reduce the overall costs by up to \$3,000 requiring Council to fund up to \$15,000.

Consultation:

Nil

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

Council will be required to contribute an estimated \$15,000 to the project. Funds can be sourced from the road maintenance budget.

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

Chief Executive Officer advised that the work proposed would take approximately four days and would cost approximately \$8,000 not \$15,000. The work could be scheduled in the Winter to minimize the impact on the Shire.

OFFICER RECOMMENDATION**ITEM 10.3.1**

That the use of Shire plant, equipment and labour, to the value of up to \$15,000, be authorised for the construction of the hardstand area for the Cocanarup Information Bay.

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.3.1
Moved: Cr Lansdown	Seconded: Cr Goldfinch
That the use of Shire plant, equipment and labour, to the value of up to \$15,000, be authorised for the construction of the hardstand area for the Cocanarup Information Bay and the work be undertaken at the Shire's convenience and not affect the Shire's works and maintenance programme.	
Motion lost: 3/4	Res: 20 /12

Reason for change to Officer Recommendation

Councillors felt that the Shire plant and equipment should be utilized on Shire works and maybe the Society should access funds from other sources for the work

10.3.2 'BLACK WATER' DUMP POINT - HOPETOUN**File Ref:**

Applicant: Not applicable

Location: Not applicable

Disclosure of Officer Interest: None

Date: 15 February 2012

Author: Leslie Hewer – Engineering Consultant

Authorising Officer: Pascoe Durtanovich - Chief Executive Officer

Attachments: None

Summary:

Council is requested to review the decision to locate a 'black water' dump point in Maitland St, Hopetoun

Background:

At the Council meeting of 24th November 2009 Council resolved the following

"That Council approve Option Three - Approximately 500m east of the Caltex service station immediately east of the 'Ravensthorpe – Welcoming Wilderness' sign as its preferred location for the Ravensthorpe caravan effluent dump point (and instruct the CEO to approach Main Roads WA for their comment); and Option Three – end of Maitland Street as its preferred location for the Hopetoun caravan effluent dump point"

Comment:

The Ravensthorpe facility has been constructed and is now in use. The Hopetoun facility has not been finalised as there is concern as to the appropriateness of the suggested location.

After inspecting the site at the end of Maitland Street it was considered unsuitable as the dump point is not on the tourist route and travellers would have to drive through the town streets in order to access the facility. This would not be desirable as the out of the way facility may not get the expected use.

A suitable site has been located opposite Wavecrest on the Transfer Station access road. The area is reasonably level and the cost of constructing a hardstand area would be minimal as road making material (limestone) is available close by.

The Campervan Motorhome Club of Australia (CMCA) has indicated that as a rule of thumb, any site chosen for a dump site must be able to accommodate the turning movement of a semi – trailer. In this way, the largest of caravan combinations can be accommodated. Other than that, they are happy to let Council decide on final locations.

Council will need to arrange approval from the Dept. of Environment and Conservation (DEC) to use the site.

Consultation:

Nil

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

Funds for the construction of the ‘dump point’, approximately \$5000, will be sourced from unallocated funds in the 2011/2012 budget.

Sealing of the access road to the transfer station will be considered in next years budget therefore the dump point can be sealed at that time.

Strategic Implications:

Nil

Sustainability Implications:

- **Environmental:**
DEC will be contacted for all approvals..
- **Economic:**
There are no known significant economic considerations.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Absolute Majority (1) and (3)
Simple Majority (2)

Chief Executive Officer advised that to provide scheme water to the facility the cost would increase by \$5000.

Rescission Motion

Cr Townsend, Cr Lansdown and Cr Duncan indicate support for a rescission motion.

COUNCIL DECISION AND OFFICER RECOMMENDATION (1) ITEM 10.3.2

Moved: Cr Townsend

Seconded: Cr Norman

That Resolution 265/09 on 24 November 2009, in relation to the Hopetoun dump Point site, be rescinded.

CARRIED ABSOLUTE MAJORITY: 7/0

Res: 21 /12

COUNCIL DECISION AND OFFICER RECOMMENDATION (2) ITEM 10.3.2

Moved: Cr Dunlop

Seconded: Cr Norman

That Council approve the transfer station access road, Senna Rd, opposite Wavecrest Village as the preferred location for a 'dump point',

Carried: 7/0

Res: 22 /12

COUNCIL DECISION AND OFFICER RECOMMENDATION (3) ITEM 10.3.2

Moved: Cr Dunlop

Seconded: Cr Townsend

That unbudgeted expenditure of up to \$11,000 be authorized for the construction of a Dump Point at Senna Road, Hopetoun.

CARRIED ABSOLUTE MAJORITY: 7/0

Res: 23 /12

10.3.3 SEVERE THUNDERSTORMS AND ASSOCIATED FLOODING (DEC 2011)**File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 15 February 2012**Author:** Leslie Hewer (Engineering Consultant)**Authorising Officer:** Pascoe Durtanovich - Chief Executive Officer**Attachments:**

Summary:

To advise Council of the outcome from the recent storm events on the 6th and 12th December 2011.

Background:

During the storm event of December 2011 a great deal of damage was caused to the road network in the Shire. Though most of the roads did remain open there was severe damage to the road shoulders, floodway's and table drains along with debris washed over sealed roads and culverts blocked by material washed downstream.

On 30th December 2011 the Council was notified by the Regional Manager of MRWA that FESA had activated the Western Australia Natural Disaster Relief and Recovery Arrangements (WANDRRA) for the 'Severe Thunderstorms and Associated Flooding (6 & 12 December 2011)' which had impacted upon a number of local government districts. The Shire of Ravensthorpe was one of the LG's on the list of affected areas.

Comment:

The activation of the WANDRRA proclamation provides Council with substantial funds to carry out reinstatement works on the roads, however there are several conditions that now are attached to these funds, mainly,

- All work eligible for reimbursement is to be carried out by contractors.
- Only work carried out after hours by Council plant and staff is eligible for payment.
- All work is to be completed by June 2014.
- Council is to fund 25% of the cost of works, to a maximum amount of \$123,250 for reinstatement and 'betterment'. Note: Opening up costs are reimbursed at 100%

Council officers have inspected most of the road affected by the floods and have made assessment of work required to reinstate the roads to pre-disaster state. Though not exhaustive the list does cover over 90% of the roads with cost estimates being over \$750,000.

In addition to the above, several areas have been identified where the infrastructure could be reinstated to a more disaster resilient standard than its pre-disaster condition. This work, "betterment", is eligible for reimbursed through WANDRRA as per their conditions.

As mentioned previously all work, where possible, is to be carried out by contractors. In order to facilitate these works and to ensure that they are completed before the next rain season it was decided to manage the project through hourly hire with daily supervision. In the first instance request for quotes were sent to local contractors to submit rates for , hourly, daily and weekly supply of plant, equipment and other resources. A list has been developed detailing all the suppliers equipment and ranked in order of price. When a need arises for that particular plant or equipment the supervisor will use the list and contact the lowest supplier. If the item is not available then he will go down the list until he acquires what he needs. If we are unable to source equipment locally then requests will be sent outside the district.

Consultation:

Main Roads West Australia (MRWA) has been contacted and requested to provide documentation for the claiming of costs to open, reinstate and provide "betterment" to the roads and associated drainage infrastructure.

MRWA also provide a Project Manager to inspect and oversee the works.

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

This years contribution can be sourced from the 2011 / 2012 budget. Approximately \$130,000 is included in the current budget for road maintenance, contractors and materials, only approximately \$60,000 will be spent. Any further contribution will be budgeted in the 2012/ 2013 budget.

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 10.3.3
Moved: Cr Lansdown	Seconded: Cr Field	
That unbudgeted expenditure of up to \$123,250 be authorized as the Shire's contribution to flood damage repairs to the Shire road networks.		
CARRIED BY ABSOLUTE MAJORITY: 7/0		Res: 24 /12

10.3.4 WASTE DISPOSAL SITE – FULL TIME STAFFED OFFICE
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File Ref:

Applicant: Not applicable

Location: Not applicable

Disclosure of Officer Interest: None

Date: 15 February 2012

Author: Leslie Hwer (Engineering Consultant)

Authorising Officer: Pascoe Durtanovich - Chief Executive Officer

Attachments: None

Summary:

To seek approval from Council for the reallocation of funds for the construction of a fully equipped staff office at the waste disposal site and implementation of restricted opening hours.

Background:

To date the waste disposal site has not be manned making it difficult to supervise of the movement and disposal of waste, in addition to this Council is missing out on possible revenue for tip fees and other forms of fees from commercial and domestic users.

More importantly the site is not being maintained to the standards and conditions generally accepted with waste management. Though Council is not contravening legislation, there is considerable improvement that needs to be made so as to increase our level of service and in general maintain a more holistic approach to waste management. Manning of a waste site is considered 'best practice'. With the call for waste reduction and the need to consolidate landfill sites it will be necessary in the future to have a sustainable landfill site that is managed in accordance with DEC regulations.

Comment:

The establishing of the office and compound is crucial to the future development of a sustainable operation at the landfill.

The approximate costs are as follows:

Purchase and outfit office building with toilet/washroom/sink including air-conditioning	\$20,000
Connection of power	\$10,000
Site-works including septic system	\$ 5,000
Erection of security fence and gates	<u>\$ 3,000</u>
TOTAL	<u>\$38,000</u>

The Shire's regional component of the Royalties for Regions has been allocated to develop the Ravensthorpe landfill site as a regional site shared with Jerramungup. If the site proves suitable and is developed then the infrastructure provided can be utilised in the new development.

With the introduction of a manned site during operational hours it will be necessary to advertise appropriate opening times. As it would be difficult to ascertain the times to suit both the public and the commercial sectors it is recommended to open the site seven days a week for a half a day.

Consultation:

If approved it is proposed to implement the new procedure immediately the infrastructure is in place.

Appropriate advice will be advertised on site for an extended period prior to implementation, also, all ratepayers will be advised in writing.

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

The \$38,000 for the construction of the office facilities and the cost of one staff member for the last quarter of the 2011/2012 of \$12,500.00 is unbudgeted.

Strategic Implications:

Nil

Sustainability Implications:

- **Environmental:**

The development of a manned office will lead to improved environmental facilities.

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

Voting Requirements:

Simple Majority (1) and (3)

Absolute Majority (2)

COUNCIL DECISION AND OFFICER RECOMMENDATION (1)	ITEM 10.3.4
Moved: Cr Field	Seconded: Cr Townsend
That the Ravensthorpe landfill facility be manned and opened for reduced hours of four per day, Monday, Wednesday, Thursday, Friday, Saturday PM and Sunday AM.	
Carried: 7/0	Res: 25 /12

COUNCIL DECISION AND OFFICER RECOMMENDATION (2)	ITEM 10.3.4
Moved: Cr Dunlop	Seconded: Cr Duncan
That unbudgeted expenditure of up to \$51,000 be authorized for the implementation of the new operating procedures at the Ravensthorpe Landfill.	
CARRIED BY ABSOLUTE MAJORITY: 7/0	Res: 26 /12

COUNCIL DECISION AND OFFICER RECOMMENDATION (3)	ITEM 10.3.4
Moved: Cr Field	Seconded: Cr Norman
That the Ravensthorpe Landfill new opening hours be reviewed by the Chief Executive Officer after three months of operation.	
Carried: 7/0	Res: 27 /12

COUNCIL DECISION (4)	ITEM 10.3.4
Moved: Cr Duncan	Seconded: Cr Field
That ratepayers be provided with two free tip passes up to 30 June 2012.	
Carried: 7/0	Res: 28 /12

10.3.5 WEST POINT ROAD – HEAVY VEHICLE ACCESS**File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 15 February 2012**Author:** Leslie Hewer (Engineering Consultant)**Authorising Officer:** Pascoe Durtanovich – Chief Executive Officer

Attachments: None

Summary:

To advise Council of the condition of West Point Road in view of writing to the Heavy Vehicle Operations - Main Roads agreeing to their recommendation to only allow Restricted Access Vehicles access along part of the road and to include the following condition on all permits issues;

'All operators must carry written approval from the LG authority permitting use of the road'

Background:

West Point Road intersects with South Coast Highway approx. 48 kilometres east of the Ravensthorpe town site, it runs north for approximately 12.5 kilometres and then heads in a north east direction for approximately 30 kilometres and connects to the Shire of Esperance road network.

The road carries vehicles typically associated with agricultural activity and is used as a short cut from Cascades to the South Coast Hwy and is currently registered with Main Roads for heavy vehicle usage.

West Point Road has been recognized in the Shire's Forward Capital Works Plan and \$ 140,000 has been allocated for the 2014/15 financial year. This amount is considered insufficient to upgrade the road to meet the requirements for heavy vehicle access.

At its Ordinary Council Meeting of 20 June 2011 Council made the following recommendation;

That:-

- 1) Council advise Main Roads Western Australia of the current condition of West Point Road and seek re-evaluation of road permits for heavy vehicle use.*
- 2) Staff complete a detailed cost estimate to construct the road to meet traffic needs based on the traffic analysis data.*

Staff prepare a detailed report for Council determining the requirements for West Point Road.

Comment:

Though the upgrade of the section between Rawlinson and Melaleuca is identified in the Forward Capital Works Plan it is considered the cost indicated is insufficient to allow the road to be used as a heavy haulage route in future. Currently Council is resheeting Melaleuca Rd and once complete will offer a suitable route to the highway.

The inserting of an additional clause on the Main Roads register will give the Council the opportunity to impose its own policies on heavy haulage on that road and any others if necessary.

Consultation:

Main Roads West Australia were contacted and requested to do a review of the heavy haulage route in that area. They have inspected the road and recommended that the section between Rawlinson and Melaleuca Roads is not suitable for heavy vehicles. In addition to this recommend that an additional clause be included on the Restricted Access Vehicles (RAV) register.

Statutory Obligations:

The Local Government Act 1995 (section 3.50) outlines the statutory requirements for closing or restricting access to thoroughfares.

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 10.3.5
Moved: Cr Duncan	Seconded: Cr Goldfinch	
That Council accepts Main Roads recommendation to not allow Restricted Access Vehicles (RAV) access to West Point Rd between Rawlinson and Melaleuca Roads, and write to the Heavy Vehicle operations unit requesting condition CA07 <i>“All operators must carry written approval from the LG authority permitting use of the road”</i> be applied to the sections of road suitable for RAV access.		
Carried: 7/0	Res: 29 /12	

10.3.6 STARVATION BAY BOATING FACILITY

File Ref:

Applicant: Not applicable

Location: Not applicable

Disclosure of Officer Interest: None

Date: 15 February 2012

Author: Leslie Hewer – Engineering Consultant

Authorising Officer: Pascoe Durtanovich – Chief Executive Officer

Attachments: None

Summary:

Council to consider contributing to the cost of consultants to undertake and complete appropriate planning for the development of a boat ramp at Starvation Bay Boat Harbour.

Background:

The proposal to develop additional boating facilities has been identified in the Shire of Ravensthorpe Tourism Strategy and the Strategic Plan.

As requested, BMT JFA Consultants Pty Ltd submitted a quote for the planning of 4 projects on the Fitzgerald Coast. These were:

1. Undertake and complete appropriate planning for the development of a breakwater extension and additional boat ramp at Hopetoun Marine facility
2. Undertake and complete appropriate planning for the development of a boat ramp at Starvation Bay.
3. Undertake a feasibility study for the development of additional public moorings at Hopetoun Mariner Facility. and
4. Undertake a feasibility study for the development of additional public moorings at Starvation Bay

Of the 4 projects, Project 2 *“to undertake the planning of the boat ramp at Starvation Bay”* was considered to be a priority.

Comment:

The Fitzgerald Coast Tourism Association is submitting in the next round an application to the Recreational Boating Facilities Scheme (RBFS) for funding to carry out future planning for the boat ramp.

The grant funding is only available up to 75% of the total cost of the project.

The quote from JFA is for \$64,275 plus GST, inclusive of all reviews, concept designs, estimated costing and tender brief.

Consultation:

Not applicable.

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 10.3.6
Moved: Cr Dunlop	Seconded: Cr Lansdown
That Council support the planning study for a boat launching facility at Starvation Bay and request the Fitzgerald Coast Tourism Association to submit an application to the Ravensthorpe Hopetoun Future Fund for \$16,068.75, being 25% of the study costs.	
Carried: 7/0	Res: 30 /12

10.4 Chief Executive Officer**10.4.1 BLACK SPOT TELEVISION SERVICE – DIGITAL SIGNAL CONVERSION****File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 15 February 2012**Author:** Pascoe Durtanovich – Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:** Letter from Australian Government**Summary:**

Digital television will be introduced to regional and remote Western Australia in the second half of 2013.

To receive this new service, two transmission options are available in the Hopetoun, and Ravensthorpe area.

A digital signal can be received from a localised self-help transmission tower.

A digital signal can be received from a satellite platform known as the VAST service.

Council must decide if it wishes to provide a localised self-help transmission tower or provide residents with access to the VAST Service.

Background:

The broadcasting of television services is not a core function of local government. However, approximately 10 years ago, a number of local governments received funding under the

Federal Government's Project Black Spot Program to install television retransmission facilities. The Shire of Ravensthorpe installed analog retransmission facilities in Ravensthorpe and Hopetoun.

With the introduction of digital television services, the abovementioned analog retransmission facilities will become redundant.

The Federal Government has written to all local governments to ascertain if they intend to upgrade their existing retransmission facilities to broadcast a digital signal. Households in areas currently served by analog self-help retransmission towers that are not being upgraded to digital, and who are not able to receive digital television services from another terrestrial transmitter in their local area, will need to move to the VAST service to receive digital television services. These households will also be eligible to receive assistance to move to the VAST service under the Government's Satellite Subsidy Scheme.

Comment:

Given that no government funding is available for the Shire to upgrade the existing self-help retransmission towers to deliver digital services, it is recommended that Council decline to upgrade the existing towers and therefore provide the community with access to the VAST service and subsequent subsidy schemes.

Additionally, if Council decides to provide a digital service, members of the community will not be eligible to receive assistance under the Government's Satellite Subsidy Scheme.

Consultation:

Once Council has made a decision relevant information will be provided to the community.

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

If Council decides to continue to provide a retransmission service, the upgrade to each facility is expected to be approximately \$100,000. The Shire currently has two services.

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 10.4.1
Moved: Cr Lansdown	Seconded: Cr Field
That Council switch off the analog television services provided to households in Hopetoun and Ravensthorpe from January 2014 and in resolving to switch off the existing analog services, advise the Federal Government of the community's eligibility to receive financial assistance under the Satellite Subsidy Scheme.	
Carried: 5/2	Res: 31 /12

Cr Dunlop recorded his vote against the motion.

10.4.2 CONTRACT EXTENSION – CHIEF EXECUTIVE OFFICER

File Ref:	Personal File
Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	Yes – Chief Executive Officer
Date:	15 February 2012
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	None

6.34pm *Jenny Rutter, Executive Assistant left the meeting.*

Prior to any consideration of Item 10.4.2 Pascoe Durtanovich declared a financial interest on the basis that he is the current Chief Executive Officer.

6.35pm *Pascoe Durtanovich left the meeting and did not participate in discussion.*

Summary:

The three year employment contract for the Chief Executive Officer concludes on 31 May 2012. This report recommends the renewal of the incumbent's contract for a further two years.

Background:

Not applicable.

Comment:

Council has previously discussed the contract of employment with the Chief Executive Officer. The Chief Executive Officer has agreed to a further term of two years, commencing 1 June 2012.

A copy of the amended draft contract of employment has been provided to Councillors.

Consultation:

Not applicable.

Statutory Obligations:

Local Government Act 1995, Section 5.39:

"The employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section."

For a permanent position the term of the contract cannot exceed 5 years.

The local Government Act also states that a contract is renewable.

In terms of renewal of contracts the current employment contract states:

There is no compulsion on either the Council or the CEO to agree to a new Contract. The Council and/or the CEO shall initiate discussions not later than 12 months prior to the expiry of the Term for the parties to enter into a new Contract for a further term with the Council making a decision to finalise those discussions not later than 9 months prior to the expiry of the term of this Contract. In the event that the Council and the CEO agree to a new contract, a new contract will be executed.

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 10.4.2
Moved: Cr Lansdown	Seconded: Cr Townsend
That Mr Pascoe Durtanovich's contract of employment for the position of Chief Executive Officer be renewed for a term of two years, commencing 1 June 2012, in accordance with the draft contract dated 17 February 2012.	
Carried: 7/0	Res: 32 /12

6.38 pm *Pascoe Durtanovich returned to the meeting.*

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 – 7.40PM

These minutes were confirmed at the meeting of the _____

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

Date: _____