



MINUTES

for the Council Meeting held on

Thursday 18 September 2014
commencing at 5.00 p.m.

in the Council Chambers, Ravensthorpe

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, RAVENSTHORPE
ON 18 SEPTEMBER 2014, COMMENCING AT 5PM

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

5.00pm – the presiding person, Cr Goldfinch, declared the meeting open.

2. ATTENDANCE / APOLOGIES/ APPROVED LEAVE OF ABSENCE

MEMBERS: Cr Goldfinch (Shire President)
 Cr Keith Dunlop (Deputy Shire President)
 Cr Julianne Belli
 Cr Ken Norman
 Cr Angela Kelton
 Cr Sharyn Gairen
 Cr Andrew Duncan

STAFF: Ian Fitzgerald (Chief Executive Officer)
 Keith White (Deputy Chief Executive Officer)
 Darryn Watkins (Manager Engineering Services)
 Portia Ridout (Executive Assistant)

APOLOGIES:
 NIL

ON LEAVE OF ABSENCE:
 NIL

ABSENT:
 NIL

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

NIL

4. PUBLIC QUESTION TIME

NIL

5. APPLICATIONS FOR, AND PREVIOUSLY APPROVED, LEAVE OF ABSENCE AND DISCLOSURES OF INTEREST**5.1 DISCLOSURE OF INTEREST**

Councillor/Officer	Item	Nature of Interest	Extent of Interest
Cr Goldfinch	10.2.2	Indirect Financial	Donator of the Windmill

6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

6.1 Mr Morris Rowe and Mr Tony Peterson, representatives from First Quantum attended the meeting and gave an update on the Ravensthorpe Nickel Mine.

The First Quantum representatives left the meeting at 5.40PM

7. CONFIRMATION OF MINUTES

7.1 COUNCIL MEETING – 21 AUGUST, 2014

OFFICER RECOMMENDATION AND COUNCIL DECISION	ITEM 7.1
Moved: Cr Dunlop	Seconded: Cr Kelton
That the minutes of the meeting of Council held on 15 September, 2014 be confirmed as a true and correct record of proceedings.	
Carried: 7/0	Res: 150/14

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 WA TREASURY CORPORATION – MASTER LENDING AGREEMENT
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File Ref:

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	6 September, 2014
Author:	Keith White – Deputy Chief Executive Officer
Authorising Officer:	Ian Fitzgerald – Chief Executive Officer
Attachments:	Yes – WATC Master Lending Agreement Copy available on request

Summary:

The West Australian Treasury Corporation (WATC) has developed a Local Government Master Lending Agreement which is now required to be signed under seal by Council.

The Master Lending Agreement sweeps all existing and future loans under the one master agreement.

Background:

The purpose of the Master Lending Agreement is to sweep all existing loans under the Local Government Master Lending Agreement and facilitates future borrowings under the one agreement thereby removing the need for individual loan agreements to be executed under seal each time Council borrows from the WATC.

Any borrowings under the Master Agreement will still be subject to the WATC's credit approval policy at the time of the application, and the release of funds is subject to the issuance of a firm rate quote by WATC and its acceptance by an authorised signatory of the Council.

Comment:

The adoption of the Master Lending Agreement will enable future borrowing requirements to be met in a timely manner without unnecessary delays due to lending documentation not being in place when funding is required.

Consultation:

Not required

Statutory Obligations:

The signing of the Master Agreement will satisfy all statutory requirements in terms of future borrowings.

Policy Implications:

Nil

Budget / Financial Implications:

New borrowings will only be undertaken in accordance with the annual 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

OFFICER RECOMMENDATION AND COUNCIL DECISION Moved: Cr Kelton	ITEM 10.1.1 Seconded: Cr Belli
That Council hereby resolves:	
1. That the Shire of Ravensthorpe enters into the Master Lending Agreement with West Australian Treasury Corporation as per the document tabled at this meeting.	
2. To approve the affixation of the Common Seal of the Shire of Ravensthorpe to the said Master Lending Agreement in the presence of the Shire President and the Chief Executive Officer, each of whom will sign the document to attest the affixation of Common Seal thereto; and	
3. That the Chief Executive Officer, or any one of the Senior Employees of the Shire of Ravensthorpe authorised by the Chief Executive Officer from time to time is authorised to sign schedule documents under the Master Lending Agreement and or to give instructions thereunder on behalf of the Shire.	
Carried by absolute majority: 7/0	Res:151/14

10.1.2 MONTHLY FINANCIAL REPORT – 31 JULY 2014**File Ref:**

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	2 September, 2014
Author:	Keith White – Deputy Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Yes – Monthly Financial Report

Summary:

This report presents the monthly financial report for July 2014 to Council which is provided as an attachment to the agenda. The recommendation is to receive the monthly financial report.

Background:

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

- The annual budget estimates,
- The operating revenue, operating income, and all other income and expenses,
- Any significant variations between year to date income and expenditure and the relevant budget provisions to the end of the relevant reporting period,
- Identify any significant areas where activities are not in accordance with budget estimates for the relevant reporting period,
- Provide likely financial projections to 30 June for those highlighted significant variations and their effect on the end of year result,
- Include an operating statement, and
- Any other required supporting notes.

Comment:

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

Consultation:

Council Financial Records

Statutory Obligations:

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

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

Policy Implications:

Nil

Budget / Financial Implications:

As detailed within the attachments

Strategic Implications:

Nil

Sustainability Implications:

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

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION

ITEM 10.1.2

Moved: Cr Gairen

Seconded: Cr Duncan

That Council receive the Monthly Financial Report for the period ending 31 July 2014 in accordance with Section 6.4 of the Local Government Act 1995.

Carried: 7/0

Res: 151/14

10.1.3 SCHEDULE OF ACCOUNT PAYMENTS – AUGUST 2014
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File Ref:**Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 31 August, 2014**Author:** Stacey Addis – Senior Finance Officer**Authorising Officer:** Keith White – Deputy Chief Executive Officer**Attachments:** Yes - Schedule of Payments to 31 August 2014**Summary:**

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

Background:

FUND	PAYMENT	VOUCHERS	AMOUNTS
Municipal Account			
	EFT	EFT3223- EFT3321	\$470,649.28
	Municipal Fund Cheques	39008 - 39072	\$56,026.13
Payroll	Dates	06/08/2014 & 20/08/2014	\$136,205.32
Municipal Account Total			\$662,880.73
Trust Account Payments	EFTs	EFT3323	\$15,682.70
Grand Total			\$678,563.43

Comment:

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

Consultation:

Not applicable.

Statutory Obligations:**Local Government (Financial Management) Regulations 1996****13. Lists of accounts**

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

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

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

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

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

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

Policy Implications:

Nil

Budget / Financial Implications:

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

Strategic Implications:

Nil

Sustainability Implications:

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

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION AND COUNCIL DECISION	ITEM 10.1.3
Moved: Cr Belli	Seconded: Cr Gairen
That pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996, the payment of accounts for the month of August 2014, be noted.	
Carried: 7/0	Res: 152/14

10.2 MANAGER OF PLANNING AND DEVELOPMENT

10.2.1 PROPOSED OFFICE – MEN IN SHEDS

File Ref:	A13141
Applicant:	Auspan Group
Location:	Lot 717 on Reserve 46889 Tamar Street, Hopetoun
Disclosure of Officer Interest:	None
Date:	7 August, 2014
Author:	Craig Pursey, Manager for Planning & Development
Authorising Officer:	Ian Fitzgerald – Chief Executive Officer
Attachments:	Yes - Planning Application

Summary:

Council is to consider a planning application to construct an office at the front of the existing shed on Lot 717 Tamar Street, Hopetoun for the Men in Shed's project.

The proposal generally complies with the requirements of the Scheme and local planning policies with the exception of the parking and landscaping requirements.

Following the discussions at the August Council meeting the Chief Executive Officer has given approval subject to a landscaping plan being lodged and implemented.

Background:

Site Description

Lot 717 Tamar Street, Hopetoun is 3200m² in area, is cleared and slopes down to a drainage reserve on its western boundary.

Lot 717 is zoned 'Light and Service Industry' by the Shire of Ravensthorpe Town Planning Scheme No.5 (the Scheme). Lot 717 is a reserve managed by the Shire of Ravensthorpe for "community purposes".

The site is developed with a shed used by the 'Men in Sheds'. It is surrounded by large gravel areas used for access, manoeuvring and parking. No real landscaping has occurred on the site to date.

Previous considerations

Council considered a proposal to occupy Lot 717 Tamar Street for the Men in Shed's project in February 2011 and resolved as follows:

"That –

- 1) Council support the use of Lot 717, Reserve 46890, for a "Men in Sheds" project.

- 2) *The Minister for Lands be requested to change the purpose of Reserve 46890 from "Emergency Services" to "Community Use" with power to lease for 21 years.*
- 3) *A 21 year lease of Lot 717, Reserve 46890 be granted to the Men in Sheds Committee subject to the group demonstrating sustainability by the preparation of a business plan and achieving incorporation status."*

The project subsequently advanced and a shed was applied for and considered by Council at their meeting in December 2012 where it was resolved:

That Council approve the planning application for a 'Club Premises' for the Men in Shed's project Lot 717 on Reserve 46890 Tamar Street, Hopetoun subject to the following conditions:

- a) *The office shown on the site plan is not part of this application and needs to be applied for separately.*
- b) *That eight parking bays are provided on site to the satisfaction of the Shire of Ravensthorpe.*
- c) *Vehicular parking, manoeuvring and circulation required by condition (b) of this approval being constructed, properly drained and sealed to the satisfaction of the Shire. All parking spaces being marked out and maintained in good repair thereafter.*
- d) *A landscaping plan showing 10% of the site as landscaped area being prepared and implemented to the satisfaction of the Shire of Ravensthorpe.*
- e) *All runoff from impervious surfaces being disposed of to the Shire's satisfaction.*
- f) *The driveway to be maintained at a trafficable standard at all times.*
- g) *Council consider contributing up to \$15,000 in the 2013/2014 budget towards paving of the parking area.*

The office mentioned at condition (a) is the subject of the current application before Council. The landscaping condition does not appear to have been implemented.

Men in Sheds then applied for the funding from Council to seal the car park in February 2014 (as per condition g) and Council resolved as follows:

"That unbudgeted expenditure of up to \$15,000 be authorised for the construction of the gravel car park and trafficable hardstand area for the Men In Sheds Incorporated facility in Hopetoun, utilizing shire plant, equipment and labour."

These works were completed in March 2014.

Comment:**Proposal**

Council received an application from the Auspan Group on behalf of the 'Men in Sheds' on the 14th July 2014 for an office to be located in front of the recently completed 14m x28m colourbond workshop:

- A separate 66m² office at the front of the existing workshop connected by a small section of additional roof;
- The office is shown as being clad in green colourbond, the same as the workshop behind.
- A front setback of at least 9.5m is retained; and
- Twelve parking bays are proposed.

A copy of the application is attached to this report.

Scheme Requirements

The proposal is assessed as an "Office" against the Scheme requirements.

The Scheme requires the following standards for an "Office" and development in the Light and 'Service Industry' zone:

Scheme Requirement	Compliance
Maximum plot ratio of 0.5	Complies
Car parking – 1 space per 33m ² NLA, minimum of 2.	Complies 12 Bays shown. 8 required by previous Council planning approval. NLA of proposed office is 66m ² , therefore 2 additional bays required.
Setbacks – 7.5m front and 7.5m rear	Complies
Landscaping – 10%	None shown, 320m ² required. To be applied as a condition of planning approval.

Local Planning Policy 7 – Industrial Design Guidelines

Council has adopted LPP7 as part of the Policy Manual adopted in June 2014. The objectives of this policy are to:

- a) *Ensure the orderly and appropriate development of industrial areas in the Shire; and*
- b) *Provide acceptable development standards for industrial areas in the Shire.*

The proposal appears to meet the various requirements of LPP7 with the following possible exceptions, clauses shown below:

f. Carparking & Trafficable Areas

- i) A minimum of a 2 coat bitumen seal is requirement for car parking and manoeuvring for visitors and staff in front setback area.

- ii) The dimensions of parking bays and manoeuvring areas are to comply with Australian Standard 2890.1 *Off-street parking*.
- iii) All other parking, truck turnarounds, storage and hardstand areas may be of gravel construction; constructed to ensure that dust does not cause a nuisance.

g. Landscaping

- i) Landscaping areas are to generally located in the front setback and down the side boundaries.
- ii) A landscaping plan is to accompany any application for planning approval, and landscaping is to complement the appearance of the proposed development.
- iii) Landscaping shall generally consist of lawns, gardens or the planting of trees and shrubs. The use of native and water efficient plants is encouraged.
- iv) Landscaping is to be established within 3 months of the completion of the building.

Car parking

Whilst the number of bays exceeds that required by the Scheme the standard of the carpark is questioned. The policy, adopted since the construction of the existing gravel parking area, requires a two coat bitumen seal of the area used for parking if compliance with the policy is to be achieved.

Whilst there are many examples of parking areas in the Tamar Street industrial area that are not sealed to a two-coat bitumen standard, Council only recently adopted a revised policy on this matter and should consider carefully the issue of precedent.

Having said this, Council is not bound by policy and may consider that being a community group using public funds may warrant a lesser standard in this specific circumstance. Additionally, the Shire spent \$15,000 plus plant and labour sealing the parking area to a quality gravel surface.

Landscaping

A landscaping plan should be required as a condition of approval and this will be enforced at an officer level.

Consultation:

Following the August Council meeting the matter was discussed with:

Cr Dunlop

Cr Kelton

Cr Belli

Cr Gairen

Statutory Obligations:

The Shire of Ravensthorpe has a dual role to play in the assessment of this application; as the landowner and as the assessment agency for the planning application.

As the landowner the Shire can refuse the proposal without recourse.

As the assessment agency any decision of Council may be appealed to the State Administrative Tribunal.

Policy Implications:

Council is only required to have 'due regard' for local planning policies in their decision making and are not bound by them.

Local Planning Policy 7 Industrial Design Guidelines applies and this is discussed in the body of this report.

Budget / Financial Implications:

The proposed shed and parking areas are on a reserve managed by the Shire of Ravensthorpe. They will be maintained under the terms of a lease in the short term but in the long term become the Shire of Ravensthorpe's asset.

Strategic Implications:

The proposal aligns with a variety of the themes and desired outcomes of the Strategic Community Plan including:

- 2.1.1 The Shire of Ravensthorpe is economically sustainable with a stable or growing population
- 3.5.1 Maintaining and improving recreational and community resource facilities in the Shire.

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 AND COUNCIL DECISION

ITEM 10.2.1

Moved: Cr Dunlop

Seconded: Cr Kelton

That Council,

1. Approve the planning application for an 'Office' for the Men in Shed's project Lot 717 on Reserve 46889 Tamar Street, Hopetoun subject to the following conditions:
 - a) Vehicular parking, manoeuvring and circulation of this approval being constructed, properly drained and sealed to the satisfaction of the Chief Executive Officer. All parking spaces being marked out and maintained in good repair thereafter.
 - b) A landscaping plan showing 10% of the site as landscaped area being prepared to the satisfaction of the Chief Executive Officer prior to the issue of a Building Permit.
 - c) The landscaping plan required at condition (b) of this approval being implemented to the satisfaction of the Chief Executive Officer within three months of the occupation of the office.
 - d) All runoff from impervious surfaces being disposed of to the Shire's satisfaction.
 - e) The driveway to be maintained at a trafficable standard at all times.
2. Advise the applicant that a two-coat bitumen seal of the parking areas is ideal however in this instance given that the applicant is a community group being entirely funded by grant money, the current gravel standard is accepted.

Carried: 7/0

Res: 153/14

Prior to any consideration of Item 10.2.2 Cr Goldfinch declared an indirect financial interest on the basis that he is the owner and donator of the Windmill.

5.25pm Cr Goldfinch left the meeting and did not participate in discussions or vote on the matter.

Cr Dunlop was elected to the Chair.

10.2.2 PROPOSED WINDMILL

File Ref:	CP.DC.2
Applicant:	Ravensthorpe Historical Society
Location:	Reserve 43571, Lot 784 Morgans Street, Ravensthorpe
Disclosure of Officer Interest:	None
Date:	6 August, 2014
Author:	Craig Pursey, Planning Officer
Authorising Officer:	Ian Fitzgerald - Chief Executive Officer
Attachments:	None

Summary:

Council approved an 'exhibition centre' at Lot 784 Morgans Street, Ravensthorpe in February 2012; a development that has now been substantially completed.

The Council has received an application to erect a 9.7m high windmill on the north eastern corner of Lot 784, inside an existing white fence. Conditional approval is recommended.

Background:

Site Details

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 developed with a "Phillips River Farming and Mining Display".

Previous considerations

Council considered an application for an exhibition centre at their meeting of 21 July 2011 Council and approved it subject to conditions.

Council subsequently considered amended plans for this exhibition centre which scaled the proposal down in February 2012. This was also approved subject to conditions.

The only conditions that remain outstanding from this approval are those that relate to landscaping of the site.

Comment:

This matter was presented to the August 2014 Council meeting with Council resolving:

COUNCIL DECISION	ITEM 10.2.1
Moved: Cr Dunlop	Seconded: Cr Belli
That item 10.2.1 lay on the table and be put to public consultation.	
Carried: 6/0	Res: 134/14

Reasons For Change To Officer Recommendation:

Council believed that because the Windmill will be situated on the main street in Ravensthorpe the public have the right to make comment on the application.

The proposal has been advertised and at the closing of submissions on the 10th September 2014 a total of 15 comments were received all in support of the windmill being erected as proposed.

Proposal

A planning application has been received from the Ravensthorpe Historical Society for a 9.7m high windmill to be located on the north-eastern corner of lot 784 Morgans Street, Ravensthorpe on the 22 July 2014.

The application consists of the following elements:

- Construction of a second hand windmill on the north eastern corner of Lot 784 Morgans Street, inside an existing white fence; that is adjacent to Morgans Street.
- The windmill base is a three sided being an equilateral triangle of 2.1m.
- The overall height is 9.7m high which includes the 3m diameter wheel at the top.
- A safety barrier will be erected approximately 3m from the ground to prevent people climbing the structure.

No plans have been provided of the windmill but given it is a common structure and previously erected this may not be necessary on this occasion.

Scheme Requirements

The Scheme does not prescribe any specific 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 windmill is ancillary to the existing use on the site and consistent with the reserve purpose.

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:

- j) The compatibility of a use or development within its setting;*
- l) The cultural significance of any place or area affected by the development;*
- 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;*
- bb) Any other planning consideration the Local Government considers relevant.*

Therefore the assessment of the windmill is largely centred around its compatibility with its surrounds, effect on the amenity of the area and safety considerations. The windmill is supported on the following basis:

- It is consistent with and ancillary to the existing farming display approved on the site;
- Whilst it a large structure to be located on the main street, it will act as a local landmark, potentially attract tourists and serve as a point of orientation for visitors; and
- Safety considerations will be addressed through the issue of a Building Permit assessed against the requirements of the Building Code of Australia.

Statutory Obligation:

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

Consultation:

None required, although Council has the choice to require advertising of the application should they deem it necessary.

Policy Implications:

None.

Budget / Financial Implications:

None for Council.

Strategic Implications:

The proposal aligns with a variety of the themes and desired outcomes of the Strategic Community Plan including:

1.2.1 Town Centres are vibrant and attractive places.

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 RECOMMENDATIONS AND COUNCIL DECISION	ITEM 10.2.2
Moved: Cr Norman	Seconded: Cr Gairen
That the matter be lifted from the table.	
That as there were no adverse comments received during the public consultation period Council approve the proposed windmill at No. 84 (Lot 784) cnr. Morgan & Andre Streets, Ravensthorpe subject to the following conditions:	
1) Any signs require separate planning approval to be granted.	
2) The structure is not to extend beyond any property boundary, overhang or encroach onto the road reserve.	
3) A guard being placed at least 2.75m above natural ground level to prevent the structure from being climbed without permission.	
4) The second hand structure being in a sound state of repair and appearance.	
5) The windmill and its footings being certified by a structural engineer prior to its erection on site.	
Carried: 6/0	Res: 154/14

5.48pm Cr Goldfinch returned to the meeting.

10.3 MANAGER OF ENGINEERING SERVICES
NIL

10.4 CHIEF EXECUTIVE OFFICER

10.4.1 INCLUSION OF YOUTH TRAILER HIRE IN THE 2014/15 FEES AND CHARGES SCHEDULE

File Ref:**Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 1 September, 2014**Author:** Matthew Hunt – Manager Recreation and Community Services**Authorising Officer:** Ian Fitzgerald – Chief Executive Officer**Attachments:** No

Summary:

This item recommends that Council approve an amendment to the adopted 2014/15 Fees and Charges Schedule, specific to the inclusion of a hire fee and bond for the Council owned 'Youth Trailer and Outdoor Cinema' that were omitted in error from the report previously put to Council.

Background:

As per advice to Council on the 26th June 2014, the 2014/2015 schedule of fees and charges was formulated using the 2013/2014 year as a basis and incorporating new charges, CPI increases and input from external statutory bodies that Council collects fees on behalf of. The proposed schedule of fees and charges was reviewed by other officers for input into their particular business units. Council at this time decided:

That Council adopt, and advertise the availability of the attached schedule of fees and charges for the 2014/2015 financial year effective, as of 1 July, 2014 with the deletion of the \$27.00 monthly pool fee.

However, on the 24th October 2013 Council approved an amendment and inclusion into the 2013/2014 financial year's schedule as below:

That Council approve an amendment to the adopted 2013/14 Fees and Charges Schedule, specific to the inclusion of the 'Youth Trailer and Outdoor Cinema', to be set at \$250.00 per event for Commercial Use and \$62.50 per event for Incorporate Not for Profit Use, plus a \$500.00 Bond per use.

This 'Youth Trailer and Outdoor Cinema' line item was unfortunately overlooked through subsequent update of the 2013/2014 schedule (in November 2014), and was as a result not carried into this current 2014/15 proposed schedule of fees and charges.

As such, this report requests Council approve an amendment to the 2014/2015 fees and charges schedule, to include the 'Youth Trailer and Outdoor Cinema' as noted above and advertise this amendment accordingly.

Comment:

The body of this comment is presented as it was done so in October of 2013 and remains true and correct at this time.

Following post review for implementation and upon request from community groups for use of the Council's 'Youth Trailer and Outdoor Cinema', it was identified by the Manager of Recreation and Community Services that community use of this asset was not accounted for within the 2013/2014 adopted Schedule.

As identified on page 17 of the Council endorsed 'Youth Action Plan 2011 – 2016', a key recommendation was to "Invest in an outdoor movie screen that can be used by community groups to hold movie nights for young people and families'. A subsequent investment was made by the Council in 2011/12, initially funded through external grant monies; however it is the Council's responsibility to activate, manage, maintain and replace this equipment as a Council asset.

In achieving this outcome and to ensure wider sustainable community use of this asset, a line item is required within the current Schedule. Based on how this asset might best be utilised and with consideration given to future maintenance and replacement costs, the following is recommended for adoption:

- A tiered structure, as is consistent with other Recreation and Community line items within the Schedule, maximising opportunity for Not for Profit users;
- A top level rate for Commercial use set at \$250.00 per event with a \$500.00 Bond to apply;
- A 75% reduction of the top rate applied to Incorporated Not for profits, placing it at \$62.50 per event plus a \$500.00 Bond; and
- A standard User Agreement to be completed by applicants for use, as is consistent with other facility use procedures across the Shire.

With consideration given to the Community Service nature of this asset and its subsequent programming, it is thought that higher level rates may be restrictive of participation and use. The recommended rates will ensure the ability of suitable community groups to maximise the benefits of the Council's investment for the wider community.

Consultation:

Officers

Statutory Obligations:

As per item of 26th June 2014, Fees and Charges Schedule.

Policy Implications:

Nil

Budget / Financial Implications:

Fees and Charges make up approximately \$1.8M of annual income.

Strategic Implications:

Nil

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations.
- **Economic:**
The setting of Local Government fees and charges is a fundamental income stream and effective fees and charges generally seek to develop a user pays system for services delivered to the community.
- **Social:**
The proposed actions will encourage broader use of the nominated asset and improve Community Service opportunity

Voting Requirements:

Absolute majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.1
Moved: Cr Dunlop	Seconded: Cr Gairen
That Council approve an amendment to the adopted 2014/15 Fees and Charges Schedule, specific to the inclusion of the 'Youth Trailer and Outdoor Cinema", to be set at \$250.00 per event for Commercial Use and \$62.50 per event for Incorporated Not for Profit use, plus a \$500.00 Bond per use.	
Amendment	
Moved: Cr Kelton	Seconded: Cr Goldfinch
That a point 2 be added to the motion as follows:	
<ol style="list-style-type: none">1. That Council approve an amendment to the adopted 2014/15 Fees and Charges Schedule, specific to the inclusion of the 'Youth Trailer and Outdoor Cinema", to be set at \$250.00 per event for Commercial Use and \$62.50 per event for Incorporated Not for Profit use, plus a \$500.00 Bond per use.2. That the Chief Executive Officer and the Manager Recreation and Community develop protocols for the management of the Youth Trailer.	
The amendment was put and Carried 7/0	
The Amendment became the motion, the motion was put and Carried by absolute majority: 6/1	
Res: 155/14	

Reasons For Change To Officer Recommendation

Council would like to develop some procedures both for the Rec Staff and Admin Staff and look to use representatives of the new Youth Group to assist with checking the trailer on its return from hire.

10.4.2 REVIEW OF COUNCIL POLICY - A16
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File Ref:	Policy Manual
Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	1 September, 2014
Author:	Matthew Hunt – Manager Recreation and Community Services
Authorising Officer:	Ian Fitzgerald – Chief Executive Officer
Attachments:	Yes – Updated Policy - A16

Summary:

The purpose of this item is to update Policy A16 – Staff and Councillors Membership of the Ravensthorpe Gym and Swimming Pool.

Background:

The current policy is as follows:

A 16	STAFF AND COUNCILLORS MEMBERSHIP OF THE RAVENSTHORPE GYM AND SWIMMING POOL
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Policy: *“Gym” is defined as gymnasium equipment supplied at the Ravensthorpe Entertainment Centre.*

“Community Pool” is defined as the swimming pool facility located on the Hopetoun-Ravensthorpe Road.

“Employees” are defined as full time permanent employees of the Shire of Ravensthorpe who have completed their probationary period.

All Shire employees will have the opportunity, upon request, to have free annual membership to the Gym. In addition, subject to completing the necessary safety training, all Shire of Ravensthorpe employees will be eligible, on request, for family membership of the Ravensthorpe Community Swimming Pool free of charge.

Policies are reviewed annually however some policies will be reviewed when circumstances change. The current Policy does not define Councillor entitlements, it excludes casual staff and is not clearly understood by Shire Administration. An amended Policy is attached for

Council adoption, providing an equitable and clearly defined scenario for all employees and Councillors.

Comment:

Administration has reviewed the Staff and Councillors Membership of the Ravensthorpe Gym and Swimming Pool Policy, which does not represent the current situation and or work force needs. Administration have suggested amendments to the existing Policy as attached, to ensure the entire work force including casual and part time employees are recognised and included in the provision of subsidised facility use options. It further allows for the use of the Ravensthorpe Entertainment Centre for alternative health and fitness opportunities.

The attached Policy A16, with amendments provides an equitable allocation of facilities provision across the entire Council and workforce, through pro rata entitlement. The amended Policy also clearly outlines Councillor entitlements to the same facilities and provisions as a full time employee. It is recommended to Council that the attached Policy A16 be adopted as amended.

Consultation:

Administration Officers.

Statutory Obligations:

Nil

Policy Implications:

Amendment to Policy Manual for inclusion.

Budget / Financial Implications:

No impact to current expenditure as no expense is incurred by the Council. Additional casual and part time staff take up at a pro rata rate may increase facility income where current take up is either not supported or not understood for payment accordingly.

Strategic Implications:

Nil

Sustainability Implications:

- **Environmental:**

There are no known significant environmental considerations.

- **Economic:**

To encourage improved employment related productivity and reduce staff sickness/absenteeism, through the provision of physical health and well-being incentives and opportunities.

- **Social:**

To encourage improved employee relationships through the provision of physical health and well-being incentives and opportunities.

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION	ITEM 10.4.2
Moved: Cr Gairen	Seconded: Cr Belli
That the revised Policy A16 as detailed in Attachment 10.4.2 is adopted by Council.	
Carried: 7/0	Res: 156/14

10.4.3 ASSET MANAGEMENT PLAN - AIRPORT**File Ref:**

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	10 September, 2014
Author:	Ian Fitzgerald – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Yes – Asset Management Plan

Summary:

The Asset Management Plan and pavement inspection report for the Ravensthorpe Airport has been received from consultants Aerodrome Management Services Pty Ltd (AMS).

This report recommends the report be received and that an application be lodged with the Department of Transport Regional Airport Development Scheme for funding to assist in the required reseal and upgrade works.

Background:

Council has raised concerns as to our potential financial liability in relation to the long term maintenance, including resealing, of the main airport runway. AMS were commissioned to inspect the airport and prepare a inspection and asset management plan for the airport.

Comment:

A copy of the Pavement Inspection and Asset Management plan report is attached. The report outlines the results of an inspection that was carried out in August 2014 and provides a series of recommendations for the medium term maintenance of the surfacing on Runway 06/24- the sealed runway. The report also addresses what the consultants consider to be the value of the airport - both runways and lighting system.

The main are of required maintenance is the resurfacing of the main sealed runway. The consultants have indicated this is a level 2 priority requiring the required work to be completed in 2015/16 or 2016/17. The estimated cost of these works, again as provided by the consultants, is estimated at \$549,000 if the work was to be completed in one stage and not staged over several years. The estimate was checked with our Manager of Engineering and seen to be close to the mark. Once the resealing was completed it would be necessary for the runway markings to reapplied. The shoulder areas of this runway will also need to lightly resprayed to help maintain them in good condition.

There is some crack sealing work that would be required to be completed prior to the major reseal and probably best addressed this current financial year at an estimated cost of \$15,000.

Staff have also costed internally a slight upgrade to the terminal building to provide a greater check-in area and lounge area to accommodate passengers waiting to board flights. This has been estimated at \$35,000 and would be included as a part of our application for funding from the Regional Airports Development Scheme.

In summary the works identified by the consultants and staff are:

a) crack sealing and minor surface repairs:	\$ 20,000
b) main runway reseal	\$549,000
c) light spray seal of runway shoulders	\$ 39,000
d) linemarking of resealed runway	\$ 40,000
e) minor upgrade of the terminal building	<u>\$ 35,000</u>
TOTAL	\$683,000

The grant application currently being prepared is for 50% of the projected costs - \$341,500 to be funded over a 2 year period. The grants cover the period 2015 - 2017 but we are intending to request the funds in 2014/15 and 2015/16 but allows for a pushback to 2016/17 if required.

Consultation:

Aerodrome Management Services
Department of Transport
GEDC

Statutory Obligations:

Nil.

Policy Implications:

Nil

Budget / Financial Implications:

The Airport Reserve has a current balance of \$414,600 and is budgeted to increase to \$465,800 by the end of the financial year.

There is no provision in the budget for the suggested crack sealing/surface repairs (\$20,000) which if completed this year as suggested by the consultants may impact on the projected reserve balance. There is a provision in the budget for carpet and hot water system repairs (\$14,500) and if these could, in part at least, be deferred and included in the grant application these funds could be redirected towards the crack sealing repair works.

Strategic Implications:

The Ravensthorpe is of vital importance to the current mining activities within the shire providing a airport suitable for use for fly-in - fly-out purposes. In addition the provision of flights by Virgin Australia provides an alternate means of travel for our residents, visiting consultants and general visitors to our region.

The continued maintenance of the airport is required to support the above uses. The airport pavement and runway are identified in Councils Asset Management Plan 2013 - 2032.

Sustainability Implications:

- **Environmental:**

Nil.

- **Economic:**

The programming of the required works will help minimise the need for major repair expense and also assist in supporting both current and future mining activities.

- **Social:**

The provision of a quality airport allows an alternate means of travel for locals and visitors.

Voting Requirements:

Simple majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.3
Moved: Cr Belli	Seconded: Cr Dunlop
That:-	
1. The Pavement Inspection and Asset Management Plan for the Ravensthorpe Airport be received.	
2. Council endorse the submission of a grant application to the Department of Transport's Regional Airports Development Scheme to assist with funding for both the terminal upgrade and runway resealing.	
Amendment	Moved: Cr Norman Seconded: Cr Duncan
That part 3 be added to the motion as follows:	
3. Should the grant be unsuccessful Council redirect the funds budgeted for carpet and hot water system repairs to complete the urgent runway maintenance required.	
The Amendment was put and Carried: 7/0	
The Amendment became the motion, the motion was put and Carried: 7/0	
Res: 157/14	

Reason For Change To Officer Recommendation

Council wanted to ensure the runway maintenance was completed this financial year.

10.4.4 APPLICATION FOR KEEPING OF ADDITIONAL DOGS**File Ref:**

Applicant:	Katherine Mounsey
Location:	15 Buckie Street Hopetoun
Disclosure of Officer Interest:	None
Date:	10 September, 2014
Author:	Ian Fitzgerald – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	No

Summary:

Council has received an application for the keeping of more than 2 dogs at a property in Hopetoun. The exemption has been applied for under section 26(3) of the Dog Act 1975 and the Shire of Ravensthorpe Dog Local Law.

The application is supported subject to the receipt of the remaining supporting documentation and an inspection of the property in question by Council's Ranger to ensure adequate fencing is in place.

Background:

The Dog act and Council's Dog Local Law restrict the number of dogs being housed at a residential property, without prior Council approval, to 2 dogs over the age of 3 months.

Comment:

The applicant is intending to relocate to Hopetoun in the very near future and has requested approval to house her 3 pet dogs, a female Labrador (4.5 years), a female Cairn Terrier (2 years) and a male Cairn Terrier (2 years).

References have been provided from previous tenancies that indicate there have been no complaints received regarding the dogs' behaviour. One of the neighbours to the proposed location of the dogs has completed a statement advising they have no objections to the proposal. The other neighbours are away at present and the applicant is seeking to contact them to obtain their comment.

The applicant has stated her approval to rent the property in Hopetoun is conditional upon permission being granted by Council for the housing of the 3 dogs. Confirmation from the landlord or their agent supporting this statement has been requested.

The Shire Ranger will inspect the property to ensure the fencing and yard is sufficient to contain the 3 dogs within the property (Ranger is currently on sick leave that has prevented inspection prior to now).

The relevant section of the Dog Act is copied below and the section allowing Council to grant approval is highlighted.

Dog Act - Part V — The keeping of dogs

26. Limitation as to numbers

- (1) A local government may, by a local law under this Act —
 - (a) limit the number of dogs that have reached 3 months of age that can be kept in or at premises in the local government's district; or
 - (b) limit the number of dogs of a breed specified in the local law that can be kept in or at premises in the local government's district.
- (2) A local law mentioned in subsection (1) —
 - (a) may limit the number of dogs that can be kept in or at premises to 2, 3, 4, 5 or 6 only; and
 - (b) cannot prevent the keeping in or at premises of one or 2 dogs that have reached 3 months of age and any pup of either of those dogs under that age; and
 - (c) cannot apply to dogs kept at premises that are licensed under section 27 as an approved kennel establishment; and
 - (d) cannot apply to dangerous dogs (declared) or dangerous dogs (restricted breed).
- (3) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —
 - (a) may be made subject to conditions, including a condition that it applies only to the dogs specified in the exemption; and
 - (b) cannot authorise the keeping in or at those premises of —
 - (i) more than 6 dogs that have reached 3 months of age; or
 - (ii) a dog under that age unless it is a pup of a dog whose keeping is authorised by the exemption;

and

 - (c) may be revoked or varied at any time.
- (5) Any person who is aggrieved —
 - (a) by the conditions imposed in relation to any exemption under subsection (3); or
 - (b) by the refusal of a local government to grant such an exemption, or by the revocation of an exemption,

may apply to the State Administrative Tribunal for a review of the decision.

- (6) *An application under subsection (5) cannot be made later than the expiry of a period of 28 days after the day on which a notice of the decision is served on the person affected by that decision.*

Consultation:

Nil.

Statutory Obligations:

Council may grant approval for the keeping of more than 3 dogs at a residential property under section 26 (3) of the Dog Act 1975.

Policy Implications:

Nil

Budget / Financial Implications:

The applicant has advised the 3 dogs would be registered with the Shire of Ravensthorpe generating minimal dog registration fees.

Strategic Implications:

Nil.

Sustainability Implications:

- **Environmental:**

Nil

- **Economic:**

Nil

- **Social:**

Nil on condition the 3 dogs are kept under control and cause no nuisance to the neighbours.

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.4.4

Moved: Cr Dunlop

Seconded: Cr Kelton

That subject to the applicant providing the remaining required supporting documentation and the property inspection being satisfactory approval be granted for Katherine Mounsey to house 3 dogs at 15 Buckie Street Street Hopetoun.

Carried: 7/0

Res: 158/14

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**NOTICE OF MOTION. BY Cr NORMAN**

That, in accordance with Council policy G19, Community Consultation be carried out to ascertain the level of Community support regarding adoption of and prior to adoption of, the Hammersley Camping Reserve Management Plan, the Community Consultation plan to include;

- a) Estimated cost to the Shire to implement the plan.
- b) Estimated ongoing annual cost to Shire.
- c) Cost of reserve management to Shire since handover.
- d) Income derived from reserve since handover.
- e) Reasons why Shire should manage the reserve.

ADMINISTRATION COMMENT

Following the presentation and subsequent discussions on the Draft Management Plan at the August meeting the suggested amendments have been made. The draft has now been forwarded to the Departments of Aboriginal Affairs, Fisheries, Parks and Wildlife, Transport, Fire and Emergency Services, and Water for comment. The closing date for comment is the 26th September and any comments received may impact on the detail included in the plan and financial impact to Council and therefore detail to be included in any community consultation documents.

COUNCIL DECISION

11.1

Moved: Cr Norman

Seconded: Cr Belli

That, in accordance with Council policy G19, Community Consultation be carried out to ascertain the level of Community support regarding adoption of and prior to adoption of, the Hammersley Camping Reserve Management Plan, the Community Consultation plan to include;

- a) Estimated cost to the Shire to implement the plan.
- b) Estimated ongoing annual cost to Shire.
- c) Cost of reserve management to Shire since handover.
- d) Income derived from reserve since handover.
- e) Reasons why Shire should manage the reserve.

Lost: 1/6

12 BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

12.1 ELECTED MEMBERS
NIL

12.2 OFFICERS
NIL

13 MATTERS BEHIND CLOSED DOORS
NIL

14. CLOSURE OF MEETING – 6.45PM

These minutes were confirmed at the meeting of the _____

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

Date: _____