



## **MINUTES**

For the Council Meeting held on

Thursday August 18, 2016

Commencing at 5 p.m.

In the Council Chambers, Hopetoun.

**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, HOPETOUN**  
**ON 18 AUGUST 2016, COMMENCING AT 5PM**

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## 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

*Cr Dickinson apologised and withdrew her comment made to Cr Norman at the Monday Agenda Briefing Forum.*

*Cr Dickinson also thanked all Councillors for their input regarding the Canoe Trails after the brief discussion on Monday.*

## 2. ATTENDANCE / APOLOGIES/ APPROVED LEAVE OF ABSENCE

MEMBERS: Cr Keith Dunlop (Shire President)  
Cr Peter Smith (Deputy Shire President)  
Cr Kerry Dickinson  
Cr Sharyn Gairen  
Cr Ian Goldfinch  
Cr Ken Norman

STAFF: Ian Fitzgerald (Chief Executive Officer)  
Jenny Goodbourn (Acting Manager of Corporate and Community Services)  
Darryn Watkins (Manager Engineering Services)  
Portia Chambers (Executive Assistant)

APOLOGIES:  
NIL

ON LEAVE OF ABSENCE:  
Cr Graham Richardson

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

NIL

## 6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

NIL

**7. CONFIRMATION OF MINUTES**

**7.1 COUNCIL MEETING – 21 JULY, 2016**

OFFICER RECOMMENDATION AND COUNCIL DECISION	ITEM 7.1
Moved: Cr Goldfinch	Seconded: Cr Dickinson
That the minutes of the meeting of council held on 21 July, 2016 be confirmed as a true and correct record of proceedings.	
Carried 6/0	Res:90/16

**8. SUSPENSION OF STANDING ORDERS**

NIL

**9. ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS**

NIL

## 10. REPORTS OF OFFICERS

### 10.1 ACTING MANAGER OF CORPORATE AND COMMUNITY SERVICES

#### 10.1.1 RESURFACE OF HOPETOUN HARD COURTS – CSRFF APPLICATION

**File Ref:****Applicant:****Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 26 July 2016**Author:** Jenny Goodbourn – A/MCCS**Authorising Officer:** Not applicable**Attachments:** Nil

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**Summary:**

Council to consider endorsing the Chief Executive Officer to submit a funding application to the Department of Sport and Recreation (DSR) under the Community Sporting & Recreation Facilities Fund (CSRFF) – Small Grants for one third funding towards the resurfacing of the hard courts located at the Hopetoun Sporting Complex.

**Background:**

The hard courts at Hopetoun Sporting Complex were last resurfaced more than 10 years ago and are showing visible signs of wear, as well as areas which can pose a risk of injury for players. The Hopetoun District Recreation Association and the Southerners Sporting Club, whom are the primary users of the courts, have requested that the Shire consider resurfacing the courts to maintain existing usage and the safety of players, as well as encouraging the potential for additional usage.

**Comment:**

If the funding submission to DSR is successful, DSR will only allocate funding towards eligible project items that meet the DSR priorities and objectives. The funding from DSR is one third of the cost for these identified items, not one third of the total project cost and the Shire is required to commit the matching two thirds to DSR's one third.

**Consultation:**

Southerners Sporting Club

Hopetoun District Recreation Association

Tammy King, Grants Empire  
Erin Bond, Department of Sport & Recreation  
West Coast Synthetic Surfaces

**Statutory Obligations:**

Local Government Act 1995

**Policy Implications:**

N/A

**Budget / Financial Implications:**

If this grant submission is successful, Council will be required to allocate two thirds of the funding in the 2016/17 financial year. The sum of \$10,929 is to be allocated from the Capital Account AB548, included in the draft 2016/2017 budget, which is being presented to council today and the sum of \$9,071 from the Trust Fund which has been held from the Hopetoun Tennis Club.

**Strategic Implications:**

This Project and grant application align with the Shire's Strategic Community Plan 2014-2024 as follows:

- Theme 3 – Adequate services and infrastructure to cater for the community.
  - Outcome 3.5 – Provision and maintenance of recreation and community resources.
    - Strategy 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 10.1.1
Moved: Cr Dickinson	Seconded: Cr Smith
That Council endorse the Chief Executive Officer submitting a funding application to the Department of Sport & Recreation for the resurfacing of the Hopetoun Sporting Complex hard courts and Council committing to allocating the two thirds of funds required in the 2016/17 financial year if the grant is successful.	
Carried: 6/0	Res: 91/16

<b>10.1.2 SCHEDULE OF ACCOUNT PAYMENTS – JULY 2016</b>
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**File Ref:**

**Applicant:** Not applicable

**Location:** Not applicable

**Disclosure of Officer Interest:** None

**Date:** 31 July, 2016

**Author:** Ashleigh Stade – Senior Finance Officer

**Authorising Officer:** Jenny Goodbourn – Manager of Corporate and Community Services

**Attachments:** Schedule of Payments to 31 July, 2016  
Credit Card Transactions to 31 July, 2016

**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:  
31 July 2016**

<b>FUND</b>	<b>PAYMENT</b>	<b>VOUCHERS</b>	<b>AMOUNTS</b>
<b>Municipal Account</b>	EFTs	EFT5934-EFT6046	<b>\$458,996.52</b>
		40259 – 40274	<b>\$28,243.25</b>
	Municipal Fund Cheques		
<b>Payroll</b>	Dates	06/07/2016 20/07/2016	<b>\$165,990.96</b>
<b>Superannuation</b>		Direct Debit	<b>\$25,142.94</b>
<b>Bank Fees</b>			<b>\$1.50</b>
<b>Municipal Account Total</b>			<b>\$678,375.17</b>
<b>Shire Credit Card Facility</b>	Westpac VISA	26/05/2016- 26/06/2016	<b>\$3,638.97</b>
<b>Trust Account Payments</b>	EFTs	EFT5971 – EFT6049	<b>\$35,137.95</b>
	Cheques	1376 – 1378	<b>\$60.00</b>
<b>Grand Total</b>			<b>\$717,212.09</b>



**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:**

N/A

**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:**

N/A

**Budget / Financial Implications:**

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

**Strategic Implications:**

N/A

**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 10.1.2
Moved: Cr Norman	Seconded: Cr Gairen
That pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996, the payment of accounts for the month of July 2016, be noted.	
Carried: 6/0	Res: 92/16

**10.1.3 MONTHLY FINANCIAL REPORT – 31<sup>ST</sup> JULY 2016****File Ref:****Applicant:****Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 11<sup>th</sup> August 2016**Author:** Jenny Goodbourn – Acting Manager of Corporate & Community Services**Authorising Officer:** Not applicable**Attachments:** Yes – Monthly Financial Reports for July 2016

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**Summary:**

This report presents the monthly financial reports for July 2016 to Council which is provided as an attachment to the agenda. The recommendation is to receive the July monthly financial reports.

**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:**

As council has not yet adopted the 2016/2017 budget there are no budget figures uploaded into the accounting system. To provide financial information to the Council this report is presented to show actual expenditure for the month of July. The report contains the actual amounts of expenditure, revenue and income to the end of the month. As soon as the budget is adopted the figures will be uploaded into the system and provide a year to date comparison.

The actual opening figures contained in the report are subject to final audit and could possibly change following the annual audit which will be undertaken by the end of September. The final accounts will be confirmed by the auditors and presented to council as part of the annual financial report for 2015/2016.

**Consultation:**

Council Financial Records

Senior Finance Officer

**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 AND COUNCIL DECISION	ITEM 10.1.3
Moved: Cr Gairen	Seconded: Cr Dickinson
That Council receive the Monthly Financial Reports for the period ending 31 <sup>st</sup> July 2016 in accordance with Section 6.4 of the Local Government Act 1995.	
Carried: 6/0	Res: 93/16

**10.1.4 ADOPTION OF THE 2016/2017 BUDGET****File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 11 August, 2016**Author:** Jenny Goodbourn – A/MCCS**Authorising Officer:** Ian Fitzgerald – Chief Executive Officer**Attachments:** Yes – Draft Budget 2016/17 Statutory  
Draft Budget 2016/2017 – Schedules  
Draft Fees & Charges 2016/2017

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**Summary:**

The 2016/2017 draft budget has been prepared in accordance with Local Government Accounting requirements and programs and directions set by Council.

**Background:**

Budget workshops were held on Monday the 11<sup>th</sup> July and Monday 1<sup>st</sup> August to allow council to work through and develop the budget for 2016/2017.

**Comment:**

The budget as presented reflects a 5.5% increase in rate charges giving additional revenue of \$171,327 resulting in total rate revenue of \$3,954,174

Kerbside domestic waste collection annual charges have been increased slightly from \$295 per service to \$297.50.

The fortnightly recycling service remains at an annual charge of \$105.30.

**Loan Funds/ Debt Servicing**

No new lending has been included in the 2016/2017 budget.

**Salaries and Wages**

The budget includes total salaries and wages of \$3,141,557 this is a decrease of \$74,093 on the 2015/2016 budget.

Organisational changes recommended following the organisational review that was carried out have been implemented resulting in an overall reduction of administration wages.

### **Elected Members Meeting Fees and Allowances**

Elected member allowances have been kept the same as last year. The meeting fees for Councillor's are \$13,000 and the President's meeting fee is \$19,500.

### **Reserves**

To enable the accumulation of funds for the Council's contribution to the extension of the State Barrier Fence from Ravensthorpe to Esperance it is recommended that Council transfer a further \$70,000 to the reserve. Other transfers are \$50,000 to plant reserve, \$50,000 to airport reserve and \$10,000 to leave reserve.

### **Community Development Fund Applications**

An amount of \$27,828 has been set aside to fund the 2016/2017 Community Development Fund applications.

### **Funding for Community Groups and Organisations**

The budget includes:

- 1) Contribution towards the RSL for ANZAC Day catering - \$500
- 2) Seniors Christmas Party - \$3,500
- 3) Contribution towards the Fitzgerald Coast Tourism Association - \$20,000
- 4) Contribution towards the Hopetoun CRC Tourism Services - \$10,000
- 5) Contribution towards the Hopetoun Progress Association - \$25,000
- 6) Contribution towards the Ravensthorpe and Districts Arts Council - \$20,000
- 7) Contribution towards the Ravensthorpe Community Centre - \$5,000
- 8) Contribution towards Ravensthorpe CRC – Spring Festival opening - \$6,000

In addition to the above the following projects, over and above normal operating expenditure, should be noted:

1. Update of Council's Asset Management Plan -\$25,000
2. Development of plans for a Civic Precinct - \$30,000
3. Planning Scheme Review - \$35,000
4. Bushfire Attack Level assessment - \$25,000
5. Contract Grader assistance for road maintenance during harvest \$40,000

**Fees and Charges 2016/2017**

The 2016/2017 schedule of fees and charges was adopted by council at the July meeting as part of the budget setting process.

OFFICER RECOMMENDATION AND COUNCIL DECISION	ITEM 10.1.3
Moved: Cr Richardson	Seconded: Cr Smith
That council adopt the attached schedule of Fees and Charges for the 2016/17 financial year.	
Carried: 6/0	Res: 73/16

**Ministerial Approval for Differential Rating:**

In accordance with section 6.33(3) of the Local Government Act 1995 Ministerial approval has to be obtained if a council wishes to impose a differential rate that is more than double the lowest rate in that category.

Ministerial approval was granted on the 9<sup>th</sup> August 2016 for our application for differential rating of 29.54c in the dollar for both the GRV Transient Workforce Accommodation and GRV Short Stay Accommodation categories.

**Consultation:**

The draft budget was prepared with input from Councillors via two budget workshops. Due consideration has been given to the Shire of Ravensthorpe Strategic Planning documents.

**Statutory Obligations:**

Sections 6.2 & 6.47 of the Local Government Act 1995

*(Preparation of annual budget & Concessions)*

Sections 6.16 and 6.17 of the Local Government Act 1995

*(Imposition of fees and charges and Setting the level of fees and charges)*

Clauses 24 & 25 of the Local Government (Financial Management) Regulations

1996

*(Service charges & fees and charges)*

Section 67 of the Waste Avoidance and Resource Recovery Act 2007

*(Receptacle Charges for Waste Collections)*



Clause 34(5) of the Local Government (Financial Management) Regulations 1996

**Policy Implications:**

Nil

**Budget / Financial Implications:**

Budget Expenditures and Revenues as detailed in the budget.

**Strategic Implications:**

Adoption of the budget will enable Council to provide the necessary services and facilities to ratepayers and residents.

**Sustainability Implications:**

- **Environmental:**

Council hope to progress the Munglinup and Hopetoun Transfer stations and Ravensthorpe regional landfill project within the 2016/2017 financial year.

- **Economic:**

There are no specific economic development initiatives however expenditure on capital building works and area promotion will achieve economic stimulus.

- **Social:**

Maintenance of existing facilities, including roads, playing fields and recreation areas together with new capital works will ensure adequate facilities and services are maintained for the community.

**Voting Requirements:**

Absolute Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

ITEM 10.1.4

Moved: Dickinson

Seconded: Cr Smith

**1. Adoption of 2016/2017 Municipal Fund Budget – Section 6.2 Local Government Act 1995****That Council:**

- a) Adopt the budget for the financial year ending 30 June 2017 which has been prepared in accordance with the Local Government Act 1995 and associated Financial Management Regulations 1997; and
- b) Endorse the Rate Setting Statement detailing the amount to be made up from rates for the financial year ending 30 June 2015 being \$3,954,174

**2. Setting of Rates – Section 6.32 Local Government Act, 1995****That Council:****a) General Rates:**

Impose the following differential rates in dollar and minimum rates for properties within the Shire of Ravensthorpe to generate a 5.5% yield increase in total rates.

<b>GRV Residential:</b>	<b>10.6766 cents in the dollar</b>
<b>GRV Commercial:</b>	<b>11.9890 cents in the dollar</b>
<b>GRV Industrial:</b>	<b>14.1370 cents in the dollar</b>
<b>GRV Transient Workforce Accommodation:</b>	<b>29.5400 cents in the dollar</b>
<b>GRV Short Stay Accommodation:</b>	<b>29.5400 cents in the dollar</b>
<b>UV:</b>	<b>01.0676 cents in the dollar</b>

<b>GRV Residential:</b>	<b>\$920.00 minimum rate</b>
<b>GRV Commercial:</b>	<b>\$920.00 minimum rate</b>
<b>GRV Industrial:</b>	<b>\$920.00 minimum rate</b>
<b>GRV Transient Workforce Accommodation:</b>	<b>\$920.00 minimum rate</b>
<b>GRV Short Stay Accommodation:</b>	<b>\$920.00 minimum rate</b>
<b>UV:</b>	<b>\$920.00 minimum rate</b>

**b) Interest – Section 6.51 Local Government Act 1995**

Apply an interest rate of 11% per annum to rates and charges and any costs of proceedings to recover any such charge, that remains unpaid after becoming due and payable.

**c) Rates Instalment Payment Options**

Offer the following rates instalment options:

**Option 1**

To pay the total amount of rates and charges included on the rate notice in full by the 10<sup>th</sup> October 2016 or the 35<sup>th</sup> day after the date of issue, whichever is the latter.

OR

**Option 2**

To pay by four instalments as detailed on the rates notices with the following anticipated dates:

- **First instalment due by** 10th October 2016
- **Second instalment due by** 12<sup>th</sup> December 2016
- **Third instalment due by** 13<sup>th</sup> February 2017
- **Fourth instalment due by** 13<sup>th</sup> April 2017

**d) Administration Charge – Section 6.45(3) Local Government Act 1995**

Impose an administration charge of \$10 per instalment and 5.5% simple interest to the amount on the rate notice where payment of a rate is made via the instalment option.

**e) Rubbish Collection Charges****Residential Properties – 240L Bin**

- i) \$297.50 per annum per occupied Lot for one 240L general rubbish bin serviced weekly.
- ii) \$297.50 per annum per additional 240L rubbish bin (GST inclusive)

**f) Effluent Rates**

a) That Council impose the following rates in dollar for GRV properties within the town sites of Munglinup and Ravensthorpe under Section 41 of the Health Act 1911 for the management and maintenance of community effluent systems.

GRV Munglinup: 2.4790c in the dollar  
GRV Ravensthorpe: 2.1700c in the dollar

b) That Council impose the following minimum rates for GRV properties within the town sites of Munglinup and Ravensthorpe under Section 6.35 (3) of Local Government Act 1995 for the management and maintenance of community effluent systems.

GRV: \$184.000 minimum rate

Non Rateable Properties: \$184.00 First Fixture & \$120.00 per additional fixture.

Non rateable Commercial Volume Sewerage (Co-Operative Bulk Handling Sites) Fee: \$1388.00

**g) Recycling**

Council introduce a fortnightly recycling service to all properties currently serviced by residential waste pickup

- i) \$105.30 per annum per occupied Lot for 240L recycling bin serviced fortnightly.

**1.2 Members Meeting Attendance Fees – Section 5.99 Local Government Act 1995**

That Council set the annual meeting attendance fee of \$13,000.00 for Council Members and \$19,500.00 for the Shire President.

**1.3 Shire President Allowance – Section 5.98 and 5.98A Local Government Act 1995**

That Council set the Shire President's allowance at \$13,000.00 and set the Deputy Shire President's allowance at \$3,250.00

**1.4 Telecommunications Allowance – Section 5.99A Local Government Act, 1995**

That Council set a telecommunication allowance of \$1,084.00 for elected members.

**1.5 Reserve Fund**

- a) That Council in accordance with Section 6.11 of the Local Government Act 1995 allocate funds to and from the Reserve Funds for the financial year ending June 30, 2017 as specified in the 2016/2017 budget document.

**1.6 Trust Fund Budget**

That Council adopt the Trust Fund Budget for the financial year ending June 30, 2017 as per the budget document.

**1.7 Fees and Charges**

**That Council adopt the attached schedule of Fees and Charges for the 2016/2017 financial year.**

**1.8 Adoption of Material Variance for Monthly Reports – Financial Management Regulation 34**

**That Council adopt a material variance level of 10% with a minimum \$10,000.00 variance for the 2016/2017 financial year for monthly reporting purposes.**

**1.9 Statutory Compliance**

**That Council confirms that it is satisfied that the services and facilities it provides:**

**(a) Integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body;**

**(b) do not duplicate, to an extent that the local government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and**

**(c) are managed efficiently and effectively.**

**In accordance with Section 3.18(3) of the Local Government Act 1995.**

**Carried by Absolute Majority: 6/0**

**Res: 94/16**

## 10.2 MANAGER OF PLANNING AND DEVELOPMENT

### 10.2.1 PROPOSED SEA CONTAINER

<b>File Ref:</b>	<b>A907</b>
<b>Applicant:</b>	Mr Jason Perger
<b>Location:</b>	Lot 130 (#27) Chambers Street, Hopetoun
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	5 August 2016
<b>Author:</b>	Craig Pursey – Planning Officer
<b>Authorising Officer:</b>	Ian Fitzgerald – Chief Executive Officer
<b>Attachments:</b>	Application & Plan of sea container location

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#### Summary:

Shire staff commenced investigating unapproved development as a specific project in April 2016 in response to Council concerns. As part of this process a number of sea containers in residential areas were identified and landowners contacted.

In response to Shire enquiries Mr Jason Perger has lodged an application for a 10ft x 10ft sea container at Lot 130 (#27) Chambers Street, Hopetoun (corner Buckie Street). The applicant has stated that it is a purpose-built dangerous goods storage container and is part of his hobby.

Council's adopted local planning policy prohibits sea containers in the 'Residential' zone. This report recommends refusal of the sea container; consistent with the requirements of the policy.

#### Background:

Lot 130 (#27) Chambers Street, Hopetoun is a 1012m<sup>2</sup> corner lot zoned Residential R10/20 by the Shire's Town Planning Scheme No.5. Lot 130 is developed with a house and sheds and is owner occupied. The 10foot square sea container has been in place for at least four years and is located on the Buckie Street frontage of the property behind a boundary fence. The top portion of the sea container is visible from the street.

The sea container was noted during Shire staff inspections and the owner notified of the Shire's adopted position prohibiting sea containers in residential areas on the 27<sup>th</sup> June

2016. The landowner, Mr Jason Perger, has contacted the Shire to explain the reasons why the sea container was on the site and to explore the possibility of keeping the container.

It was explained to Mr Perger that staff are delegated to authorise development consistent with local planning policy and that if he wished to retain the sea container he would have to lodge a planning application and request Council's consideration.

**Comment:**

***Proposal***

There is an existing 10foot sea container located in the south eastern corner of Lot 130 Chambers Street, Hopetoun, in the corner of the property facing Buckie Street.

Mr Perger has applied to keep the sea container on this property and asks Council to consider the proposal on the following grounds:

*My unit is a purpose built 10ft x 10 ft storage container that I use to pursue my recreational Hobby having my equipment with work benches and storage units within. This not really a sea container and more of a secure storage unit. It needs be and its deemed that it is detracting for the streetscape, and seeing as I have no neighbours in residence to either the front back or sides of my house I will screen the unit with lattice and grow an evergreen vine on the lattice to hide it from view .*

A plan showing the location of the proposed sea container is attached to this report.

***Local Planning Policy 6 Sea Containers***

Council has had a local planning policy regarding sea container since at least July 2007, the current version is Local Planning Policy No.6 (LPP6). The objective of LPP6 is:

- a) To establish clear guidelines for the placement of sea containers used for storage purposes within the Shire;*
- b) To ensure that any sea container does not detract from an existing (or reasonably desired) streetscape; and*
- c) To achieve a balance between providing the legitimate need for sea containers as an affordable and secure storage option, and minimizing any impact on neighbours,*



*streetscape, the amenity of the neighbourhood or locality and of the Shire as a whole.*

LPP6 allows for sea containers in residential areas under specific circumstances including:

- a) Sea container/s fully enclosed within a building does not require Planning Approval.*
- b) Sea container/s placed temporarily on the property for the purposes of furniture and/or goods removal or delivery do not require Planning Approval where they are located on a property for seven (7) days or less.*
- c) In all zones a sea container may be placed on a property temporarily, for a period of up to 12 months, for the storage of materials used to construct an approved dwelling or building.*

Unless an exemption applies the policy prohibits sea containers in the 'Residential' zone. A copy of this policy is attached to this report.

### **Assessment**

As stated in the introduction to the Shire's Local Planning Policy Manual:

*A Local Planning Policy does not bind Council or the Shire of Ravensthorpe in its decision making. However, the Shire of Ravensthorpe shall have due regard to the provisions of an applicable policy and the objectives which the policy is designed to achieve before making its determination on a planning matter.*

The objectives of the Sea Container policy as they apply to residential areas are essentially related to the protection of amenity. In order to protect residential amenity from the potential impact of sea containers the Council's policy has recommended refusal of all sea containers.

The applicant has stated that the sea container was purchased as a purpose-built dangerous goods storage unit rather than a sea container. In favour of the proposal are the following points:

- The container has been in place without complaint for at least four years;
- It does not adjoin direct neighbours being surrounded by streets and a rear laneway;
- The majority of the container is screened from the street by the boundary fence;

- It would be possible to effectively screen the container from the street and address the objectives of the Council's sea container policy that revolve around proportion of residential amenity; and
- The applicant has shown a need for the container that is out of the ordinary.

Against the proposal are the following points:

- Whilst the applicant states that the structure is a 'purpose-built' dangerous goods building, it is a converted sea container and appears as such;
- Council has consistently refused sea container applications and proposals since at least July 2007 and refusal of this proposal should be considered for consistencies sake; and
- It appears to be possible to shift the container inside an existing shed which would mean that it is exempt from the terms of the Council's policy.

This report recommends refusing the current application for the following reasons:

- A sea container is more industrial in character and inappropriate in a residential area; and
- To remain consistent with past decisions on sea containers.

**Consultation:**

None undertaken

**Statutory Obligations:**

A sea container is development and is not exempted from planning approval under Town Planning Scheme No.5.

Town Planning Scheme No.5 through the Deemed Provisions requires Council to have 'due regard' to any adopted Local Planning Policy.

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

**Policy Implications:**

The objective of the Local Planning Policy is to preserve the amenity of the Shire's residential areas whilst balancing this against the utility of sea containers as a cheap and secure form of storage. Council has chosen to achieve this by refusing all sea containers in residential areas. If Council wishes to explore alternatives it may be possible to achieve this objective by introducing clauses around screening and controlling the quality of the sea containers used.

Should Council wish to review this Local Planning Policy then it would require advertising for public comment before being brought back to Council for final approval.

**Budget / Financial Implications:**

None for Council

**Strategic Implications:**

N/A

**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**

That Council,

1. Refuse the application for a sea container at Lot 130 (#27) Chambers Street, Hopetoun for the following reasons:
  - a) The proposed sea container is contrary to the Council's Local Planning Policy No.6 and will create an undesirable precedent for other similar applications; and
  - b) The sea container is more industrial in character and is out of character with the surrounding residential land uses.
2. Advise the applicant that the sea container is to be moved within 35 days either off site or within a shed on the property.

## ALTERNATIVE OFFICER RECOMMENDATION

ITEM 10.2.1

That Council,

1. Approve the application for a sea container at Lot 130 (#27) Chambers Street, Hopetoun subject to:
  - a) The proposed sea container being clad in colourbond to present as an outbuilding rather than a sea container to the satisfaction of the Shire of Ravensthorpe within 42days of the issue of planning approval.
  - b) The sea container shall be adequately ventilated to the satisfaction of the Shire of Ravensthorpe.
  - c) All runoff from impervious surfaces being contained within the property and disposed of to the Shire's satisfaction.
2. Amend Local Planning Policy No.6 - Sea Containers as follows:

Amend Table 1 as it relates to the 'Residential' zone to permit up to one (1) sea container, up to 6m in length, per property where:

  - It is clad in colourbond and presents as an outbuilding. Use of a pitched or skillion roof profile is encouraged.
  - The doors of the sea container are to be clad in colourbond or not able to be seen from surrounding roads and footpaths.
  - The sea container is considered part of the permitted outbuilding floor space detailed in Local Planning Policy No.3 – Outbuildings.
3. Advertise the amended Local Planning Policy in accordance with Clause 5 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 by publishing a notice of the amended policy once a week for two consecutive weeks in a newspaper circulating in the area, giving details of:
  - i. Where the draft policy may be inspected;
  - ii. The subject and nature of the Policy; and
  - iii. Inviting written submissions and nominating the advertising period (not less than 21 days).
4. Following advertising, a further report be referred to Council to consider any submissions lodged during the advertising period and to consider whether to finally adopt the amended Local Planning Policy (with or without modifications).

**REASON FOR ALTERNATE RECOMMENDATION:**

Sea containers are more industrial in character and do not have a place in residential areas. However, they are secure, effective and economic storage solution.

If they are clad in colourbond and present as an outbuilding then amenity concerns will be addressed.

## ALTERNATIVE OFFICER RECOMMENDATION

ITEM 10.2.1

Moved: Cr Norman

Seconded: Cr Smith

That Council,

1. Approve the application for a sea container at Lot 130 (#27) Chambers Street, Hopetoun subject to:
  - a) The proposed sea container being clad in colourbond to present as an outbuilding rather than a sea container to the satisfaction of the Shire of Ravensthorpe within 42 days of the issue of planning approval.
  - b) The sea container shall be adequately ventilated to the satisfaction of the Shire of Ravensthorpe.
  - c) All runoff from impervious surfaces being contained within the property and disposed of to the Shire's satisfaction.
2. Amend Local Planning Policy No.6 - Sea Containers as follows:

Amend Table 1 as it relates to the 'Residential' zone to permit up to one (1) sea container, up to 6m in length, per property where:

  - It is clad in colourbond and presents as an outbuilding. Use of a pitched or skillion roof profile is encouraged.
  - The doors of the sea container are to be clad in colourbond or not able to be seen from surrounding roads and footpaths.
  - The sea container is considered part of the permitted outbuilding floor space detailed in Local Planning Policy No.3 – Outbuildings.
3. Advertise the amended Local Planning Policy in accordance with Clause 5 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 by publishing a notice of the amended policy once a week for two consecutive weeks in a newspaper circulating in the area, giving details of:
  - iv. Where the draft policy may be inspected;
  - v. The subject and nature of the Policy; and
  - vi. Inviting written submissions and nominating the advertising period (not less than 21 days).
2. Following advertising, a further report be referred to Council to consider any submissions lodged during the advertising period and to consider whether to finally adopt the amended Local Planning Policy (with or without modifications).

**Amendment**

Moved: Cr Goldfinch

Seconded: Cr Dickinson

That Point 2 of the motion be read –

## 2. Amend Local Planning Policy No.6 - Sea Containers as follows:

Amend Table 1 as it relates to the 'Residential' zone to permit up to one (1) sea container, up to 6m in length, per property where:

- It is clad in colourbond and presents as an outbuilding. Use of a skillion roof at 5%.
- The doors of the sea container are to be clad in colourbond or not able to be seen from surrounding roads and footpaths by a screen.
- The sea container is considered part of the permitted outbuilding floor space detailed in Local Planning Policy No.3 – Outbuildings.

**The amendment was put to a vote and was lost 2/4****The recommendation reverted back to the original and was put to vote and was Carried: 6/0**

Carried: 6/0

Res:95/16

## 10.3 MANAGER OF ENGINEERING SERVICES

### 10.3.1 FOUR MILE BEACH CARPARK

**File Ref:****Applicant:****Location:** Southern Side of Hamersley Drive SLK 6.671**Disclosure of Officer Interest:** None**Date:** 5 August, 2016**Author:** Simon Russell, Technical Officer**Authorising Officer:** Darryn Watkins, Manager Engineering Services**Attachments:** Yes, Locality map.

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**Summary:**

Council to consider the permanent closure and rehabilitation of Four Mile Beach car park located on Hamersley Drive.

**Background:**

Four Mile Beach car park is located within a 60kmh posted speed zone on the south side of Hamersley Drive, 400m East of Culham Inlet Beach car park.

The formalised car park area itself is limited in size, only accommodating approximately 6 vehicles in bays delineated with old single rail log fencing.

In addition to the formalised section, there is an old vehicle track egressing to the south leading to an unfenced clearing which was used in the past by a tourist-based camel-riding business. Currently this area is mostly utilised for informal camping and as an access point for trail bikes and ATV's entering the coastal reserve. The area is also prone to illegal dumping of rubbish.

**Comment:**

Council Officers have been made aware of some near misses involving vehicles exiting the Four Mile Car Park onto Hamersley Drive pulling out in front of vehicles travelling east along Hamersley Drive.

Traffic count information collected in March 2016 on the Easter Public Holiday, shows that during peak periods Hamersley Drive can experience up to 606 vehicle movements per day Council Officers have carried out an inspection of the site and found that the Actual Intersection Sight Distance looking east from the car park entrance is limited to 50 metres. The primary factor limiting visibility at this location is the embankment located to the east



immediately adjacent to the intersection in question. Sight distance could be improved slightly by 20m through the removal of encroaching vegetation along the road verge although this would not be sufficient to meet Main Roads WA specifications.

Main Roads WA specifications state the safe sight distance for intersections within a 60kmh posted speed zone, based on a 2.5 second reaction time, as being 131m.

**Consultation:**

CEO

Technical Officer

DPAW

**Statutory Obligations:**

MRWA supplement to "Austroads Guide to Road Design" (Australian Standards) Section 3.2.2

**Policy Implications:**

N/A

**Budget / Financial Implications:**

Closure works can be undertaken under the current Coastal Reserves budget allocation.

Rehabilitation works can be undertaken through Hopetoun Work for the Dole activity.

**Strategic Implications:**

As referenced in the Shire of Ravensthorpe Coastal Management Plan 2011-2021

**Sustainability Implications:**

- **Environmental:**

There is a moving dune system featuring steep and unstable sand dunes in the vicinity of this car park that previously necessitated the erecting of makeshift barriers to discourage use of a vehicular, beach access track that connected to this car park. Permanent closure of this entry point into the coastal reserve should serve to further reduce any degradation to this dune system.

- **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 10.3.1
Moved: Cr Smith	Seconded: Norman
That Council approve the permanent closure and rehabilitation of the Four Mile Beach car park.	
Carried: 6/0	Res: 96/16

## 10.4 CHIEF EXECUTIVE OFFICER

### 10.4.1 HOPETOUN COMMUNITY RESOURCE CENTRE - NAMING

**File Ref:**

**Applicant:**

**Location:** Not applicable

**Disclosure of Officer Interest:** None

**Date:** 25 August 2016

**Author:** Ian Fitzgerald – Chief Executive Officer

**Authorising Officer:** Not applicable

**Attachments:** None

**Summary:**

Following discussions at the July Council meeting the Hopetoun CRC was approached for comment in relation to the suggestion that the Hopetoun Community Resource Centre and Doctors Surgery be named the Meadows Bennett Building after two long term residents who also served as matron of the Ravensthorpe Hospital. Their feedback has now been received supporting the proposal but with a slight name change.

**Background:**

At the July 2016 Council meeting Council resolved:

**OFFICER RECOMMENDATION AND COUNCIL DECISION**

**ITEM 10.4.8**

Moved: Cr Dickinson

Seconded: Cr Richardson

The naming of the Hopetoun Community Resource Centre and Hopetoun Doctors Surgery as the Meadows Bennet Building be considered by council.

Carried: 6/0

Res: 85/16

**Comment:**

The advice is that when the new hospital was built in 2003, part of the old hospital was moved to the corner of Veal Street and Alan Rose Drive where it became the RTC Centre, doctor's surgery, Council meeting room and office space for the Hopetoun Progress Association.

Pat Meadows was matron of the Ravensthorpe Hospital from 1963-1965 and again from 1973-1977 and is a long term stalwart of the Ravensthorpe and Hopetoun Communities.

Merle Bennett was matron of the Ravensthorpe Hospital from 1980-1990 and has worked tirelessly for the local community.

The request is for Pat Meadows and Merle Bennett to be recognised by naming the refurbished Hopetoun Community Resource Centre (part of the Hopetoun Community Centre) and the Hopetoun Doctors Surgery as the Meadows Bennett Building.

At this stage there is no indication whether the Hopetoun Community Resource Centre who have a licence to occupy part of the new Hopetoun Community Centre have been invited to comment.

The following feedback has been received from the Hopetoun CRC Management Committee:

*Firstly the Committee heartily endorses recognising Merle Bennett and Pat Meadows in this way, honouring their association with this building when it served as part of the Ravensthorpe Hospital.*

*Regarding the name itself, and to avoid confusion with the Community Resource Centre signage, and that of the Hopetoun Community Centre itself, we suggest that Council consider the name **Meadows Bennett Wing** (rather than Centre). This seems a nice "fit" with its association with the old hospital too.*

*If Council votes to proceed on this matter, we suggest that a plaque be located midway along this wing, and that its size be considered carefully, so as not to cause confusion with other signs already installed.*

**Consultation:**

Nil

**Statutory Obligations:**

Local Government Act 1995

**Policy Implications:**

N/A

**Budget / Financial Implications:**

If Council were to proceed with the request there would be the cost of signage and catering for a small dedication ceremony.

**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 10.4.1

Moved: Cr Dickinson

Seconded: Cr Smith

The naming of the Hopetoun Community Resource Centre and Hopetoun Doctors Surgery as the Meadows Bennet Wing be endorsed by Council with a dedication function to be held at a mutually acceptable time.

Carried: 6/0

Res: 97/16

**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 – 5.21PM**

These minutes were confirmed at the meeting of the \_\_\_\_\_

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

Date: \_\_\_\_\_