



## **MINUTES**

of the Council Meeting held on

Thursday 23 May 2013  
commencing at 5 p.m.

in the Council Chambers, Ravensthorpe.

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**ORDINARY MEETING OF COUNCIL**  
**TO BE HELD IN THE COUNCIL CHAMBERS, RAVENSTHORPE**  
**ON 23 May 2013, COMMENCING AT 5PM**

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**1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

5.00pm – The Presiding Person, Cr Ian Goldfinch, opened the meeting.

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

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

STAFF: Pascoe Durtanovich (Chief Executive Officer)  
 Darryn Watkins (Manager Engineering Services)  
 Portia Ridout (Executive Assistant)

APOLOGIES:

ON LEAVE OF ABSENCE:  
 Cr Keith Dunlop (Deputy Shire President)  
 Cr Julianne Belli

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 Declaration of Interest**

Councillor/Officer	Item	Nature of Interest	Extent of Interest
Cr Field	11.1	Indirect Financial	Part owner of tree removal business.

**6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS**

Nil

## 7. CONFIRMATION OF MINUTES

### 7.1 Council Meeting – 20 May, 2013

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 7.1
Moved: Cr Duncan	Seconded: Cr Field
That the minutes of the meeting of Council held on 20 May, 2013 be confirmed as a true and correct record of proceedings.	
Carried: 5/0	Res:69/13

## 8. SUSPENSION OF STANDING ORDERS

Nil

## 9. ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS

Nil

## 10. REPORTS OF OFFICERS

### 10.1 Deputy Chief Executive Officer

#### 10.1.1 MONTHLY FINANCIAL STATEMENTS – 30<sup>TH</sup> APRIL 2013

**File Ref:**

**Applicant:** Not applicable

**Location:** Not applicable

**Disclosure of Officer Interest:** Nil

**Date:** 6<sup>th</sup> May 2013

**Author:** Brent Bailey – Deputy Chief Executive Officer

**Authorising Officer:** Not applicable

**Attachments:** Monthly Financial Report

**Summary:**

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

**Background:**

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

- The annual budget estimates,
- The operating revenue, operating income, and all other income and expenses,

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

**Comment:**

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

**Consultation:**

Council Financial Records

**Statutory Obligations:**

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

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

**Policy Implications:**

Nil

**Budget / Financial Implications:**

As detailed within the attachments

**Strategic Implications:**

Nil

**Sustainability Implications:**

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

**Voting Requirements:**

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.1.1
Moved: Cr Lansdown	Seconded: Cr Field
That Council receive the Monthly Financial Report for the period ending 30 <sup>th</sup> April 2013 in accordance with Section 6.4 of the Local Government Act 1995.	
Carried: 5/0	Res:70/13

**10.1.2 SCHEDULE OF ACCOUNT PAYMENTS – APRIL 2013****File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 30<sup>th</sup> April 2013**Author:** Tahnee Gairen- Accounts Payable**Authorising Officer:** Brent Bailey – Deputy Chief Executive Officer**Attachments:** Schedule of Payments to 30<sup>th</sup> April 2013**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:**

<b>FUND</b>	<b>PAYMENT</b>	<b>VOUCHERS</b>	<b>AMOUNTS</b>
<b>Municipal Account</b>	EFT and	EFT1472-1602	\$400,800.40
	Cheques	38003-38061	\$113,097.91
<b>Reserve Bank Fee</b>		950	\$453.03
<b>Municipal Account Total</b>			<b>\$514,351.34</b>
	Trust	EFT	\$38,588.05
	Trust Cheques	1164-1176	\$320.00
<b>Trust Account Payments</b>			<b>\$38,908.05</b>
			<b><u>\$553,259.39</u></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:**

Not applicable.

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

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

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

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

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

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

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

**Policy Implications:**

Nil

**Budget / Financial Implications:**

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

**Strategic Implications:**

Nil

**Sustainability Implications:**

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

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

**Voting Requirements:**

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.1.2
Moved: Cr Field	Seconded: Cr Duncan
That pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996, the payment of accounts for the month of April 2013, be noted.	
Carried:5/0	Res:71/13

**10.2 Manager of Planning and Development****10.2.1 PROPOSED ROAD RESERVE CLOSURE – PORTION NEIL STREET, RAVENSTHORPE**

<b>File Ref:-</b>	LU.GL.1
<b>Applicant:</b>	N/A
<b>Location:</b>	Portion of Neil Street road reserve, Ravensthorpe
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	8 May 2013
<b>Author:</b>	Craig Pursey, Planning Officer
<b>Authorising Officer:</b>	Pascoe Durtanovich - CEO
<b>Attachments:</b>	Site Plan

**Summary**

Council resolved to close an unused portion of Neil Street, Ravensthorpe in order to facilitate the expansion of the adjacent SES Building at their meeting in March 2013.

The proposal was advertised for 21 days during which time 2 submissions were received offering no objection.

It is recommended that Council resolve to close the portion of road reserve.

**Background:**

The Department of Emergency Services has recently made funding available to establish a new Administration and Training facility for the Ravensthorpe State Emergency Services.

The current SES buildings are located on Reserve 38324, Lot 771 Morgans Street, Ravensthorpe. Reserve 38324 is managed by the Shire of Ravensthorpe as an emergency



services site. This reserve is zoned Light and Service Industry under the Shire Shire's Town Planning Scheme No5.

Council considered the closure of this portion of Neil Street, Ravensthorpe at their meeting in March 2013 and resolved:

*"That Council, in pursuance of section 58 of the Land Administration Act 1997, close the unconstructed portion of Neil Street (north of Morgans Street) and include it the adjacent Reserve 38324."*

**Comment:**

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

**Consultation:**

The proposed road reserve closure was advertised for public comment closing on the 3<sup>rd</sup> May 2013 to adjoining landowners and relevant government agencies that may have infrastructure in the reserves.

Two submissions were received, one from Water Corporation and one from Telstra; neither objected to the proposed closure.

**Statutory Obligations:**

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

**Policy Implications:**

Nil.

**Budget / Financial Implications:**

All costs associated with surveying the closures will be borne by the Shire.

**Strategic Implications:**

Nil.

**Sustainability Implications:**

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

**Voting Requirements:**

Simple majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.2.1
Moved: Cr Norman	Seconded: Cr Lansdown
That Council, in pursuance of section 58 of the Land Administration Act 1997, support the permanent closure of the unconstructed portion of Neil Street (north of Morgans Street) with the resulting land being included with Reserve 38324.	
Carried: 5/0	Res:72/13

**10.2.2 RESERVE 17544 - PROPOSED CHANGE OF MANAGEMENT**

<b>File Ref:</b>	<b>EM.PL.6</b>
<b>Applicant:</b>	Not applicable
<b>Location:</b>	Reserve 17544, Hamersley Inlet
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	13 May 2013
<b>Author:</b>	Craig Pursey, Planning Officer
<b>Authorising Officer:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Attachments:</b>	None

**Summary:**

The Shire has management of Reserve 17544 adjacent to the Hamersley Inlet in the Fitzgerald River National Park.

The reserve is surrounded by National Park managed by the DEC, it is recommended that the Council offer management of the reserve to DEC and recommend its inclusion into the National Park.

**Background:****Subject Site**

Reserve 17544, also known as the Hamersley Inlet reserve, is a local reserve vested with the Shire of Ravensthorpe for the purpose of camping. This 'Class C' reserve is located approximately 27 km by road to the west of Hopetoun townsite as an enclave in the Fitzgerald River National Park and has a legal area of 146.3756ha.

The reserve is accessed from Hamersley Inlet Drive and through the National Park and fronts the Hamersley Inlet. The reserve is completely surrounded by the Fitzgerald River National Park.

Reserve 17544 is reserved for 'Recreation' under the Scheme, the same as the rest of the surrounding National Park. The management order is issued to the Shire of Ravensthorpe, the purpose of the Reserve in the management order is 'camping'. There is no power to lease.

Council supported a houseboat storage area within the reserve and there have been a series of major improvements carried out recently in the reserve by DEC resulting in a new camping facility, day use area, toilets, parking areas and sealed roads.

The recent development has given rise to a requirement to draft a management plan over the reserve. Additionally, there will be large costs in maintaining and running the recent improvements in this reserve.

### ***Past Considerations***

Following closure of the Ravensthorpe Nickel Operation in January 2009, Council, in conjunction with the State Government, made a decision to further develop the tourism industry in the Shire in an effort to add to the local economy.

A number of initiatives were instigated including the development of additional tourism infrastructure in the Fitzgerald River National Park and the Shire managed Hamersley Inlet reserve.

For the redevelopment of visitor facilities at Hamersley Inlet the Department of Environment and Conservation (DEC) assisted Council in the planning phase. This included project scope, Aboriginal heritage issues and environmental processes.

A draft redevelopment project plan was supported by Council in April, 2010 and advertised for public comment.

Following public consultation the Plan was further developed in conjunction with the DEC, including detailed site assessment in respect to access alignment and facility development. The detailed site assessment included the development of a number of development options.

Council considered these options in August, 2010 and resolved as follows;

*That Option 1, Plan 5 for the redevelopment of Reserve 7544 Hamersley Inlet be adopted, with the following amendments.*

- *Nature based camping being included (as per option 2)*
- *A secure service area being included.*

Further negotiations were then undertaken with a number of key stakeholders and the final draft plan was developed. Council then issued a final approval for the improvements on the 20th December 2012 where it was resolved:

*That*

- 1) *The final draft Hamersley Inlet design development and campground layout plans 1 to 4 identified as attachment 10.4.8 to this report be adopted*

- 2) *The Department of Environment and Conservation be requested to address the following issues as part of the development and in the Reserve Management Plan*
- *Shade areas in the day use and caravan/camping area to be maximized.*
  - *Sufficient distance from the picnic area and public toilets to be incorporated.*

*The Reserve Management Plan to address boating, maintenance responsibilities, fee structure and a fire management plan.*

This report also flagged an intention to review the management of Reserve 17544 once the development was completed.

Lastly, Council approved a houseboat storage area in Reserve 17544 at its meeting of 17th November 2009 subject to a number of conditions including:

1. *"The Minister for Lands providing Power to Lease over Reserve 17544;*
2. *A lease agreement being entered into with the Shire of Ravensthorpe, including indemnifying the Shire against damages;..."*

Unfortunately, there is no power to lease in the reserve management orders. If the Shire wishes to pursue gaining the power to lease a Reserve Management Plan will need to be prepared.

**Comment:**

The additions and redevelopment of the tourist facilities have now largely been completed at a value of more than \$2 million. These include new camping facilities, improved day use facilities, sealed roads, toilets, public information and improved access to the water. All infrastructure appears to be of a high quality.

However, as these facilities are located within a Shire managed reserve the Shire of Ravensthorpe is currently responsible for the maintenance and running of these facilities. This report recommends that these facilities be handed over to the Department for Environment and Conservation (DEC) for inclusion in the National Park for the following reasons:

- The infrastructure including roads and drainage will require maintenance and eventual replacement, at a considerable ongoing cost to the Shire. Whilst the standard of signage and public infrastructure is high, it is not 'standard' and will be expensive to maintain and replace over time;
- The camping area will require management with running costs clearly being higher than any returns. This will include toilet cleaning, policing, rubbish collection, etc;
- Reserve 17544 is an isolated reserve, completely surrounded by the Fitzgerald National Park. Access to the reserve is through the National park reserve in some places, not via a road reserve;
- A management plan for the reserve will need to be prepared that includes management of the facility, environmental considerations, maintenance of infrastructure, etc that will take considerable time and resources to produce;
- The reserve is remote to the rest of the Shire's activities;

- Presumably the DEC would prefer to manage the reserve as they will be able to control access, dieback and other land management issues without having to coordinate activities with the Shire.

It is recommended that Reserve 17544 be handed to the DEC for management and inclusion as part of the Fitzgerald National Park.

**Consultation:**

If supported, the proposed changes would be sent to the Department of Regional Development and Lands (RDL) who would refer it to all affected government agencies for comment before making a decision.

**Statutory Obligations:**

Management of Reserves is handled by RDL on behalf of the State. The agreement of both RDL and DEC will be required to successfully change the management of this reserve should Council support the proposal.

**Policy Implications:**

Nil

**Budget / Financial Implications:**

There are considerable ongoing costs to Council over time with the management, maintenance, replacement and running of the new facilities within Reserve 17544.

**Strategic Implications:**

Nil

**Sustainability Implications:**

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

**Voting Requirements:**

Simple Majority

**OFFICER RECOMMENDATION**

ITEM 10.2.2

That the Department of Regional Development and Lands and the Department of Environment and Conservation be advised that the Shire of Ravensthorpe wishes to relinquish management of Reserve 17544 in favour of the Department of Environment and Conservation and that the reserve should form part of the Fitzgerald River National Park.

**COUNCIL DECISION**

ITEM 10.2.2

Moved: Cr Norman

Seconded: Cr Duncan

That this item lay on the table pending collation of further information for the future management of the Reserve and community consultation at the next public meeting.

Carried: 4/1

Res:73/13

**REASON FOR CHANGE TO OFFICER RECOMMENDATION**

Council was concerned that an asset of this nature should be relinquished and felt that more information is required on the financial and social impacts before a decision could be made.

**10.2.3 COMPLIANCE - HOPETOUN & RAVENSTHORPE TOWNSITES****File Ref:****Applicant:**

Not applicable

**Location:**

Ravensthorpe and Hopetoun townsites

**Disclosure of Officer Interest:**

Nil

**Date:**

14 May 2013

**Author:**

Craig Pursey, Planning Officer

**Authorising Officer:**

Pascoe Durtanovich – Chief Executive Officer

**Attachments:**

None

**Summary:**

Council to consider implementation of a process to address a number of compliance issues in the Hopetoun and Ravensthorpe townsites.

**Background**

A number of compliance issues have arisen overtime in both the Ravensthorpe and Hopetoun townsites. Issues including people living permanently in caravans, shops and commercial-zoned buildings, poorly kept front yards, use of sea containers, illegal building additions and signs all require follow up.

In the past the Shire has had limited resources with which to undertake compliance and enforcement roles. With the employment of an Airport Manager/ Compliance Officer no compliance issues can now be followed up.

Additionally, both Hopetoun and Ravensthorpe have numerous examples of overgrown gardens and structures in a poor state of repair.

**Comment:**

Planning, health and building regulations are drafted to ensure issues of safety, health, equity and amenity are addressed and complied with. The failure to comply with these regulations in the Shire's townsites can increase fire risk, lead to some health risks for occupants and the community, affect the value of property and generally create a poor image of the towns.

It is proposed to engage an additional, temporary compliance officer to work with the Shire's Compliance Officer to undertake the following tasks to address the current compliance issues.

- Commence a public consultation campaign encouraging the community to clean up front yards, remove illegal structures and comply with Council requirements;
- Review both townsites and compile a list of properties with compliance issues;
- Send letters to owners of offending properties listing works required and giving appropriate timeframes for compliance;
- Reinspect after an agreed time frame and if necessary issue appropriate notices under the relevant legislation to achieve compliance; and
- Issue fines and/or take the necessary legal action to ensure compliance for those unwilling to comply.

It is also recommended that two free kerbside collections be budgeted for to assist landowners in the disposal of clean up material.

Council should be aware that a concerted compliance action of this sort is likely to cause some aggravation in parts of the community, however, it is proposed to approach the task in a collaborative manner rather than confrontational.

Regular reporting to Council will occur during the process.

**Consultation:**

An initial set of adverts and other public awareness measures will be undertaken to start the process and maximise the warning to those with outstanding compliance issues.

**Statutory Obligations:**

Legal advice has been sought from Council's solicitors as to how best to pursue these compliance matters.

For clear breaches of the Local Planning Scheme, Planning Infringement Notices (\$500.00) may be issued under S.42 of the Planning and Development Regulations, 2009.

Notices issued under 3.25 of the Local Government Act 1995 may be used to deal with issues including:

- a) *unsightly land;*
- b) *remove overgrown vegetation, rubbish or disused material from land considered to be untidy; or*
- c) *repair an unsightly, dilapidated or dangerous fence or gate that abuts local government property.*

**Policy Implications:**

Nil

**Budget / Financial Implications:**

There will be costs involved in engaging a temporary compliance officer, approximately \$15,000 and the provision of two free kerbside collections, approximately \$20,000.

These costs can be allowed for in the 2013/2014 budget. Consultation/advertising can commence immediately funded from the current budget.

**Strategic Implications:**

Whilst the Local Government Act provides certain powers requiring landowners to keep their properties in a reasonable state of repair, the Act only allows for the issuing of Notices. A Notice can take some time follow through and may be appealed to the State Administrative Tribunal (SAT). Whilst this is fair and reasonable, it has the potential to add considerable time and expense to the Shire's compliance costs.

When the Local Planning Scheme is next reviewed it may be appropriate to include clauses that require landowners to keep their properties in a clean and tidy state. Failure to comply with the requirements of the Scheme would then allow Council to issue Planning Infringement Notices. These are able to be issued more quickly and would act as a speedy deterrent as they can be applied daily.

**Sustainability Implications:**

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

**Voting Requirements:**

Simple Majority



**OFFICER RECOMMENDATION**

ITEM 10.2.3

That implementation of compliance measures as outlined in this report be supported and \$35,000 be included in the 2013/2014 budget to fund the initiative.

**COUNCIL DECISION**

ITEM 10.2.3

Moved: Cr Norman

Seconded: Cr Duncan

That the two kerbside collections be monitored by staff to determine the success of the initiative and a report be submitted to Council with a view to introducing the service on an annual basis.

Carried: 4/1

Res:74/13

**10.3 Manager of Engineering Services**

Nil

**10.4 Chief Executive Officer****10.4.1 LOCAL GOVERNMENT ENERGY EFFICIENCY PROGRAM (LGEEP)****File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 5 May 2013**Author:** Matthew Hunt – Manager Recreation and Community Services**Authorising Officer:** Pascoe Durtanovich – Chief Executive Officer**Attachments:** Yes - Enigin WA LGEEP Cost: Benefit Analysis**Summary:**

This report recommends that Council accept the attached LGEEP Cost:Benefit Analysis prepared by Enigin WA and subsequently allocate a capital contribution of \$12,533 (exc gst) into the 2013/14 annual budget towards the installation of solar collector systems for efficient Entertainment Centre hot water and a high efficiency heat pump system at the Swimming Pool for hot showers. Funds will only be required should the submission to LGEEP be successful.

**Background:**

At its Ordinary Meeting of February 21<sup>st</sup> 2013, Council resolved:

*“That unbudgeted expenditure of \$3,250 is authorized for an independent cost/benefit analysis of the LGEEP within the identified Shire facilities.”*

The analysis and report has been completed by Enigin WA, for the both the Ravensthorpe Entertainment Centre and Ravensthorpe Community Swimming Pool facilities and is attached for Council’s perusal. As noted to Council in February, the \$24 million LGEEP provides support to all local councils across Australia to install low pollution, clean energy solar and heat pump hot water systems. This program will help support local business, while driving smarter energy use in local government buildings and community facilities.

**Comment:**

The Shire of Ravensthorpe is eligible to make one application for funding under this program and will be required to contribute a minimum of 30% of the total cost of the project after the deduction of Small-Scale Technology Certificates (STC) value. The minimum and maximum grant is \$20,000 and \$30,000 respectively with a total project maximum value of \$42,857. Applications for grants under the LGEEP are open with installations to be completed within 12 months of signing the funding agreement. The closing date for submissions for funding has been extended May 29 2013.

Through extensive Staff review of the attached report and on site consultation with local plumbers and the consultancy company, it is deemed that there is a justified and sustainable outcome for the Shire to install solar collector systems at the Entertainment Centre, to be mounted on the best available roof space for energy efficiency, with full tempering installed. The roof which houses the Swimming Pool showers is poorly suited to solar panel installation due to its contours and curvature. Alternatively a high efficiency heat pump system has been designed based on the solar offset quantities analysed and best options considering energy saving and value for the money.

As confirmed through three (3) quotes for each site, the total cost of the project is equal to \$51,182.00 minus an STC value\* of \$9,405.00 leaving \$41,777.00, which is in line with the LGEEP funding guidelines. The Council’s contribution to this cost is 30% equalling \$12,533.00 (exc gst), which if successful with the application would be allocated in the 2013/14 financial year. The installation of the systems will be undertaken by local small business, to ensure compliance with funding guidelines and continue the Council’s support of the local economy.

\*STCs to be claimed by preferred quote (Enigin) on behalf of the Council at completion of installation and certification.

With consideration given to the capital costs (Council contribution) for installation and the ongoing maintenance and replacement costs of these systems, it is noted on page 5 and 6 of the Enigin report that a return on investment may be noted between one (1) and two (2) years from installation. However, as the swimming pool currently has no system in place an electric base system has been used for calculation of estimated return. Fixtures should not require significant maintenance over their life, with and 5 -7 year warranty on parts and

installations. As such, the energy savings calculated as a dollar value (page 6 column 2 of the Enigin report) over a ten year period should adequately cover ongoing maintenance and replacement costs and still yield energy and cost savings (assumption made with understanding of future innovations and economic value changes).

Prior to the submission of the LGEEP application (should it be supported by the Council) there is a requirement for the Minister for Education (or delegate) to approve capital works of this nature on land which is vested with the Minister. This consent has been granted. It is also noted that the delegate for the Minister has declined to make a capital financial contribution to this project.

However, consideration of future management and activity options for both facilities (Agreement expiry and programming), would support the Council in taking advantage of cost savings in the medium to long term for the Shire. This program provides an opportunity to position these facilities at a sustainable level for future assessment.

**Consultation:**

This has occurred with the Ravensthorpe Swimming Pool Management Committee, the Ravensthorpe Entertainment Centre Management Committee, the Ravensthorpe District High School, local plumber / installer and external industry professionals.

**Statutory Obligations:**

Nil

**Policy Implications:**

F 7: Local Government Purchasing and Tender Guide Model Purchasing Policy – *Sustainable Procurement*

**Budget / Financial Implications:**

Funds are requested for the 2013/14 financial year.

**Strategic Implications:**

Shire of Ravensthorpe Strategic Plan: Action No 3.5 (B) and Action No 6.5 (126),

**Sustainability Implications:**

- **Environmental:**  
Through local authorities (such as the Shire of Ravensthorpe), the Australian Government is implementing a raft of energy efficiency measures which will help improve the productivity of our economy and move Australia towards a prosperous low-carbon future.
- **Economic:**  
The use of local suppliers where suitable will further improve economic position of our business community. The outlined (Analysis) medium to long term cost savings of the Shire represents sustainable financial management and allows future expenditure on Council priorities.
- **Social:**  
There are no known significant social considerations.

**Voting Requirements:**

Simple Majority

**COUNCIL DECISION AND OFFICER RECOMMENDATION (1) ITEM 10.4.1**

Moved: Cr Field

Seconded: Cr Duncan

That Council accept the final (V3) LGEEP Cost: Benefit Analysis prepared by Enigin WA, for use by staff in submitting a LGEEP grant application for federal funds.

Carried:5/0

Res:75/13

**OFFICER RECOMMENDATION (2) ITEM 10.4.1**

That Council allocate a contribution of \$12,533 (exc gst) into the 2013/14 annual budget, in accordance with the LGEEP grant application, towards the local installation of solar collector systems for efficient hot water at the Ravensthorpe Entertainment Centre and a high efficiency heat pump system at the Ravensthorpe Swimming Pool for hot showers.

**COUNCIL DECISION (2) ITEM 10.4.1**

Moved: Cr Norman

Seconded: Cr Goldfinch

That Council allocate a contribution of \$12,533 (exc gst) into the 2013/14 annual budget, in accordance with the LGEEP grant application, towards the local installation of solar collector systems for efficient hot water at the Ravensthorpe Entertainment Centre and a high efficiency heat pump system at the Ravensthorpe Swimming Pool for hot showers and should the grant not be successful the \$12,533 be allocated to the provision of two 250 litre high efficiency heat pumps at the Ravensthorpe swimming pool.

Carried: 3/2

Res:76/13

**10.4.2 DISABILITY ACCESS AND INCLUSION PLAN 2013 - 2018****File Ref:**

<b>Applicant:</b>	Not applicable
<b>Location:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	7 May 2013
<b>Author:</b>	Matthew Hunt – Manager Recreation and Community Services
<b>Authorising Officer:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Attachments:</b>	Yes. Disability Access and Inclusion Plan (DAIP) 2013 – 2018

**Summary:**

This item recommends that Council adopt and support the Shire's proposed Disability Access and Inclusion Plan (DAIP) 2013 – 2018, for submission to the Disability Services Commission, in accordance with the Disability Services Act 1993.

**Background:**

As per Council's decision of February 2013, a Disability Access and Inclusion Working Group was formulated to review and update to the Shire's DAIP 2007 - 2011.

In ensuring the individuality and specificity of the DAIP outcomes for the Shire, consultation with community members, the Working Group, Shire staff and other stakeholders was undertaken in support of the review and development of the DAIP 2013 - 2018. Although only minor feedback was attained by the working group, the Shire acted appropriately and advertised through the local newspapers, direct to community contacts and on the Shire's Web site. Copies of the final DAIP 2013 – 2018 in Consultation Draft were made available to the community upon request and in alternative formats where required, including hard copy in standard and large print, electronic format, by personal communication or CD, by email and on the Shire website.

The Shire of Ravensthorpe's inaugural Disability Service Plan (DSP) was developed in 1995. The primary purpose of the plan was to ensure that the Shire provided an accessible community to people with disabilities, their families and carers. The DSP was designed to ensure that people with disabilities have the opportunities to access and use services, facilities and functions within the Shire. The DSP was reviewed and amendments made in 2006, resulting in the DAIP 2007 – 2012. The 2012/13 review produced an updated DAIP and Implementation Plan for 2013 – 2018, which will guide the Shire to improved access and inclusion.

**Comment:**

The Manager of Recreation and Community Services in collaboration with the Chief Executive Officer has ultimate responsibility to oversee the development, implementation, review and evaluation of the DAIP.

The development of the DAIP 2013 – 2018 included:

- Formation of Working Group with Elected members and Shire Officers (February);
- Consultation posted for comment on DAIP 2007 – 2012; (March)
- Evaluation and review of DAIP 2007 – 2012 by Committee; (March/April)
- Review / assess consultation responses to update the 2013 – 2018 Plan; (April)
- Consultation draft DAIP 2013 – 2018 out for comment to public and DSC (April); and
- Finalised DAIP 2013 – 2018 as this Item for Council adoption, prior to submission to DSC (May).

**Consultation:**

The Disability Services Act Regulations set out the minimum consultation requirements for public authorities in relation to Disability Access and Inclusion Plans. Local Governments must call for submissions (either general or specific) by notice in a newspaper circulating in the Local Government area or on any website maintained by or on behalf of the Local Government. These were all used.

**Statutory Obligations:**

The Australian Commonwealth, State and Territory governments have developed the National Disability Strategy in partnership under the auspices of the Council of Australian Governments. The Australian Local Government Association has also assisted in the development of the Strategy and there is a strong role for local governments in its implementation. The shared vision is for an inclusive Australian society that enables people with disability to fulfil their potential as equal citizens. The relevant roles and responsibilities on disability access and inclusion are governed by several statutes. These include:

- Commonwealth Disability Discrimination Act 1993;
- Disability Services Act 1993 (amended 2004);
- Western Australian Equal Opportunity Act 1984; and
- United Nations Convention on the Rights of Persons with Disabilities.

It is a requirement of the Disability Services Act 1993 that public authorities, including local governments, develop and implement a DAIP so that people with disability have the same opportunities as other people to access services, facilities and information in the community.

**Policy Implications:**

A10 – People with Disabilities - Access

**Budget / Financial Implications:**

- Adequate funds are available for the development, promotion and adoption of the DAIP 2013 – 2018.
- The DAIP 2013 - 2018 and subsequent Implementation Plan will guide budgets and resource allocation into the future.

**Strategic Implications:**

The adoption and delivery of the DAIP 2013 – 18 is aligned to Critical Success Factors 3, 5, 6 and 7 of the Shire of Ravensthorpe Strategic Plan 2010 - 2015.

**Sustainability Implications:**

- **Environmental:**  
There are no known significant environmental considerations.
- **Economic:**  
The implementation of DAIP may allow improved efficiency and use of the Shire's facilities and services by residents and visitors alike, which will in turn provide an increase in economic opportunity for the region.
- **Social:**  
The DAIP and subsequent actions of the Implementation Plan will meet both the physical and social demands of the wider community.

**Voting Requirements:**

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.2
Moved: Cr Lansdown	Seconded: Cr Field
That Council adopt and support the Shire's proposed Disability Access and Inclusion Plan (DAIP) 2013 – 2018, for submission to the Disability Services Commission, in accordance with the Disability Services Act 1993.	
Carried: 5/0	Res:77/13

**10.4.3 RISK MANAGEMENT POLICY****File Ref:**

**Applicant:** Not applicable

**Location:** Not applicable

**Disclosure of Officer Interest:** None

**Date:** 11 May, 2013

**Author:** Pascoe Durtanovich – Chief Executive Officer

**Authorising Officer:** Not applicable

**Attachments:** Yes – Draft Policy

**Summary:**

To consider the adoption of a Risk Management Policy.

**Background:**

The Shire of Ravensthorpe does not have a risk management policy. If Council is to deliver on the Strategic Community Plan and achieve the aspirations of the community it must identify and mitigate risks that may impede progress in this regard.

**Comment:**

The policy as proposed outlines the risk management process that will be implemented within the organisation.

The Shire has limited resources it is therefore essential that strategic and day to day operational risk is identified, to assist in decision making and minimised to achieve safe, cost effective use of all shire resources.

**Consultation:**

Public consultation is not required for the development of the policy. Professionals in the field have been consulted for input.

**Statutory Obligations:**

- Adherence with International Risk Management Standard ISO 31000:2009
- Local Government Act, 1995

**Policy Implications:**

Policy implications include awareness and co-ordination with

- Shire of Ravensthorpe Strategic Community Plan
- Shire of Ravensthorpe Corporate Business Plan
- Shire of Ravensthorpe Human Resources Policies.

**Budget / Financial Implications:**

Better informed decision making and risk identification and minimisation will result in cost effective service delivery.

**Strategic Implications:**

Identification and management of risk will assist in the delivery of community aspirations as identified in the Strategic Community Plan.

**Sustainability Implications:**

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



**Voting Requirements:**

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.3
Moved: Cr Field	Seconded: Cr Duncan
That the Draft Risk Management Policy, identified as attachment 10.4.3 be adopted.	
Carried: 5/0	Res:78/13

**10.4.4 INTERGRATED STRATEGIC PLANNING FRAMEWORK****File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:****Date:** 15 May, 2013**Author:** Pascoe Durtanovich – Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:** Yes – Corporate Business Plan, Workforce Plan, Asset Management Plan, Long Term Financial Plan**Summary:**

As part of the Integrated Strategic Planning Framework currently being undertaken by Local Government the Shire of Ravensthorpe is required to have a number of strategic documents in place, specifically a Strategic Community Plan and a Corporate Business Plan.

Council has previously adopted a Strategic Community Plan, this report recommends the adoption of the Corporate Business Plan and associated documents.

**Background:**

The Shire's integrated planning framework comprises the following plans.

**Strategic Community Plan** – identifies the community's main aspirations and priorities for the future and outlines strategies for achieving these goals

**Corporate Plan** – describes the activities that will be undertaken over the next four years to achieve the agreed short and long term goals and outcomes.

**Long Term Financial Plan** – details the financial resources needed to enact the corporate plan in the first four years and potential revenues and expenses for the next six years of the plan. This plan serves to inform and resource all aspects of the integrated planning activities as appropriate.

**Asset Management** – This plan identifies and records the asset register, service level, activities and strategies to ensure the physical assets and infrastructure of the Shire are

appropriately managed and maintained over their lifecycle, and appropriately dispose of or replace at the end of that lifecycle.

The 4 Year Corporate Business Plan (CBP) activates the community aspirations that have been identified in the 10 Year Strategic Community Plan (SCP). It sets the strategic priorities that will drive the operation of the local government over the short to medium term, taking consideration of the human resources, assets and financial capacity of the local government. The SCP and CBP are inter-related, as changes in the SCP can impact and require review and adjustment in the CBP.

The CBP ensures the integration of the following informing strategies:

- Long Term Financial Plan;
- Workforce Plan;
- Asset Management Plan;
- Service Plans; and
- Issue Specifics Plans.

The CBP is a living document that is reviewed annually and adjusted according to the minor and major review cycles of the SCP, as well as a result of any performance and internal or external issues that will have an impact in the near future.

**Comment:**

In adopting the planning documents Council will be compliant with the requirements of the Local Government Act, 1995 and relevant regulations however it must be understood that the process is ongoing. Whilst the Strategic Community Plan is a ten year plan it has to be reviewed at least once every four years. Administration recommends that the current plan, which was finalised some two years ago and reviewed through the integrated planning process, be reviewed again towards the end of the 2013/2014 financial year.

The Corporate Business Plan and the informing strategies, LTFFP, WP and AMP are to be reviewed annually. In particular the Asset Management Plan will have to be further developed to achieve the highest industry standard, this will be an ongoing process through 2013/2014.

**Consultation:**

The planning documents were prepared in consultation and with the assistance of consultants KPMG (SCP, CBP, LTFFP, WP and AMP) and consultants LG People (WP).

Three Councillor workshops were also held through the planning development process.

**Statutory Obligations:**

Section 5.56 of the Local Government Act 1995 specifies that a local government is to prepare a plan for the future of the district.

Local Government (Administration) Regulations 1996 include:-

**DIVISION 3 — PLANNING FOR THE FUTURE****19C. Strategic community plans, (Act s. 5.56)**

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
  - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
  - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
  - (c) demographic trends.
- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.  
\*Absolute majority required.
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

*[Regulation 19C inserted in Gazette 26 Aug 2011 p. 3483-4.]*

**19DA. Corporate business plans, (Act s. 5.56)**

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —

- (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
  - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
  - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.
  - (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.
  - (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.  
  
\*Absolute majority required.
  - (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

**Policy Implications:**

Nil

**Budget / Financial Implications:**

The development of an Integrated Strategic Planning and Reporting Framework involved considerable staff time. KPMG were appointed to work with the ten local governments in the Goldfields Esperance region. Funding of \$1.3M was provided by State Government for this purpose. Further funding has been provided by State Government for the implementation of the strategies identified in the Workforce Plan.

Council's contribution to the process apart from staff time is approximately \$55,000, specifically for development of the Asset Management Plan.

The Corporate Business Plan identifies operating and capital expenditure. The Integrated Strategic Planning and Reporting Framework will enable council to evaluate the long term financial implications of all its strategies, works programmes and service delivery levels.

**Strategic Implications:**

The Corporate Business Plan and informing documents will guide delivery of the key strategic themes identified in the Strategic Community Plan.

**Sustainability Implications:**

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

- **Economic:**  
There are no known significant economic considerations.
- **Social:**  
The Integrated Strategic Planning and Reporting Framework will improve the sustainability of local governments and will facilitate greater engagement with the community in service delivery.

**Voting Requirements:**

Absolute Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.4
Moved: Cr Lansdown	Seconded: Cr Field
That the Shire of Ravensthorpe draft four year Corporate Business Plan and the Plan informing documents:-	
<ul style="list-style-type: none"> <li>• Integrated Workforce Plan</li> <li>• Asset Management Plan and</li> <li>• Long Term Financial Plan</li> </ul>	
be adopted.	
Carried by Absolute Majority: 4/1	Res:79/13

**10.4.5 FESABILITY STUDY – STARVATION BAY BOAT RAMP****File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 15 May, 2013**Author:** Pascoe Durtanovich – Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:** Yes – Copy of Phase 1 report**Summary:**

Phase 1 of the Starvation Bay Boat Ramp Facility Study has been completed.

This report recommends the report be received and the final phase, Phase 2 be proceeded with.

**Background:**

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

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

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

With the advent of funding availability under the Recreation Boating Facilities Scheme BMT JFA Consultants Pty Ltd were appointed to undertake the feasibility study.

The study involved the following :-

- A. Feasibility Study Phase 1 will involve the completion of the following tasks:
- Collate relevant information from design reports and studies, metocean data, topographic and hydrographic surveys;
  - Review available design wave and ambient wave data for the site;
  - Review existing design criteria and provide recommendations;
  - Develop a concept layout for the ramp;
  - Produce a preliminary cost estimate based on in-house cost rates;
  - Undertake desktop review of the likely environmental impacts; and
  - Prepare a feasibility study report.
- B. Detailed Engineering phase two will involve the completion of the following tasks:
- Produce detailed cost estimates based on contractor cost rates;
  - Prepare detailed design drawings; and
  - Prepare a pre tender brief.

**Comment:**

A copy of the Phase 1 report is attached. The majority of the report deals with technical issues and data collection, these aspects are more an area that the Department of Transport will have to comment on.

From Council's point of view the main issue is the estimated cost and funding for the project, should it proceed to construction.

The cost estimate of \$2M seems excessive, particularly in the areas of mobilisation, demobilisation and contingencies, however, Phase 2 involves the provision of more detailed costing so the estimate will be more accurate at that time.

Whilst this project is identified in the Shire of Ravensthorpe Tourism Strategy it is not in the Shires Forward Capital Works Plan. Council may consider amending the Capital Works Plan to include the project however given other capital works priorities already committed to the shire is not in a position to contribute funds to the project although it may be in a position to

undertake some of the construction aspects, such as the carpark, should the project proceed to that stage.

Funds allocated to this project through the Recreation Boating Facilities Scheme \$60,000 and shire \$20,000 will cover both Phase 1 and Phase 2 of the study. In due course funding may be available through the R.B.F.C to undertake the project. Therefore it is important that Phase 2 be completed.

**Consultation:**

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

**Statutory Obligations:**

Completion of the project will have to be in accordance with the Recreational Boating Facilities Scheme Funding Agreement that the Shire has entered into.

**Policy Implications:**

Nil

**Budget / Financial Implications:**

The total cost of the project is \$80,000. Grant funding of \$60,000 has been received. Under the funding guidelines the Shire of Ravensthorpe's contribution is 25% (\$20,000) this is included in the 2012/2013 Budget.

**Strategic Implications:**

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

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

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

Page 134

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

Page 139

Starvation Boat harbour Recommendations

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

**Sustainability Implications:**

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

**Voting Requirements:**

Simple Majority

*CEO advised the meeting that the Department of Transport has requested that this project be put on hold until such time as the Department has had an opportunity to review and comment on Phase 1 of the project.*

<b>OFFICER RECOMMENDATION</b>	<b>ITEM 10.4.5</b>
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That:-

- (1) The Feasibility Study on Starvation Bay Boat Ramp, Phase 1, dated April, 2013 be received.
- (2) A copy of the study report be forwarded to the Department of Transport for comment.
- (3) BMT JFA Consultants be requested to progress Phase 2 of the study, in accordance with the scope of works, namely:-
  - review of available quarry and quarry yields
  - provision of detailed design
  - detailed cost estimates
  - detailed drawings
  - pretender brief

<b>COUNCIL DECISION</b>	<b>ITEM 10.4.5</b>
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Moved: Cr Goldfinch

Seconded: Cr Field

That this item lay on the table until a response is received from the Department of Transport on Phase 1 of the study.

Carried: 5/0

Res:80/13



## 11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

*Prior to consideration of Item 11.1 Cr Field declared a financial interest on the basis that Cleary Field Contractors of which she is a part owner could benefit from a decision on the item.*

*5.27pm Cr Field left the meeting and did not participate in discussions or vote on the matter.*

### 11.1 Notice of Motion – Cr Norman

The following notice of motion has been submitted by Cr Norman.

*That Shire delay implementation of Res 18/13 until the Police Department have completed the HDP barrier allowing assessment by a suitably qualified professional confirming the presence or otherwise of damaging feeder roots at the building base and that Council consider Res 18/13 on the results of that investigation.*

### Chief Executive Officer's Comment

#### Process for dealing with Notice of Motion.

The notice of motion has been submitted in accordance with clause 3.8 of the Shire of Ravensthorpe Standing Orders Local Law which states:-

#### 3.1 Motion of which Previous Notice has been Given

- (1) Unless the Act, Regulations or these Standing Orders otherwise provide, a member may raise at a meeting such business as he or she considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO.
- (2) A notice of motion under subclause (1) is to be given at least ten (10) clear working days before the meeting at which the motion is moved.
- (3) A notice of motion is to relate to the good government of persons in the district.
- (4) The CEO –
  - (a) with the concurrence of the *President*, may exclude from the notice paper any notice of motion deemed to be out of order; or
  - (b) may on his or her own initiative make such amendments to the form but not the substance thereof as will bring the notice of motion into due form; and
  - (c) may under his or her name provide relevant and material facts and circumstances pertaining to the notice of motion on such matters as policy, budget and law.
- (5) No notice of motion is to be out of order because the policy involved is considered to be objectionable.
- (6) A motion of which notice has been given is to lapse unless –
  - (a) the member who gave notice thereof, or some other member authorised by him or her in writing moves the motion when called on; or
  - (b) the Council on a motion agrees to defer consideration of the motion to a later stage or date.
- (7) If a notice of motion is given and lapses in the circumstances referred to in subclause (6)(a), notice of motion in the same terms or the same effect is not to be given again for at least 3 months from the date of such lapse.

Note: Prior to consideration of the notice of motion Recession of Res 18/13 is required.

### Previous COUNCIL DECISION

Council dealt with this matter at the ordinary meeting on 21 February, 2013 and resolved as follows:-

Item 10.3.1 Res18/13

*That council approve the removal of two salmon gum trees on the Morgans Street road verge in front of the Ravensthorpe Police Station.*

### Matters to be carried when dealing with the Notice of Motion

- The removal of the trees in question will not resolve the buildings problem. The soil conditions are the problem.
- As pointed out in the officers report (Item 10.3.1, 21 February, 2013) the structural engineers report indicated one option to stop the intruding tree roots is to install a root barrier along the northern and eastern end of the building.  
This would be done by others.
- The trees in question are not salmon gums however irrespective of the type of tree there are problems caused by the tree roots.
- The trees are more of a problem to the shire assets. The trees radial root growth has deformed the footpath paving in front of the building and extended into the road pavement of Morgans Street.  
The trees will have to be removed at some stage to avoid further damage to the road and footpath.
- Proposed streetscape work may impact on the ability to retain the trees.

Moved: Cr Norman

That Shire delay implementation of Res 18/13 until the Police Department have completed the HDP barrier allowing assessment by a suitably qualified professional confirming the presence or otherwise of damaging feeder roots at the building base and that Council consider Res 18/13 on the results of that investigation and all costs be borne by the Police Department and that if within two years no such assessment has been received by the Council, Res 18/13 be rescinded.

**Motion lapsed due to the lack of a seconder**

Cr Goldfinch foreshadowed a recession motion. There was support from four councillors for a recession motion to be considered.

Moved: Cr Goldfinch

Seconded: Cr Duncan

That Res 18/13 of the ordinary Council meeting held on the 21 February, 2013 (Item 10.3.1) be rescinded.

Carried by Absolute Majority: 4/0

Res:81/13

Note: It was agreed that the future of the two trees in question be discussed at the next Councillor workshop.

5.38pm *Cr Field returned to the meeting.*

**12 BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

**12.1 Elected Members**

**12.2 Officers**

**13 MATTERS BEHIND CLOSED DOORS**

**14. CLOSURE OF MEETING – 5.43PM**

<p>These minutes were confirmed at the meeting of the _____</p> <p>Signed: _____ (Presiding Person at the meeting of which the minutes were confirmed.)</p> <p>Date: _____</p>
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