

MINUTES

of the Council Meeting held on

Thursday 23rd December, 2010
commencing at 5 p.m.

in the Council Chambers, Ravensthorpe

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, RAVENSTHORPE
ON 23rd DECEMBER, 2010 COMMENCING AT 5PM

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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

Cr Ian Goldfinch (Shire President)
Cr Keith Dunlop
Cr Don Lansdown
Cr Brenda Tilbrook
Cr Jan Field
Cr Julianne Townsend
Cr Ken Norman

STAFF: Pascoe Durtanovich (Chief Executive Officer)
Kobus Nieuwoudt (Manager Planning & Development)
Evelyn Arnold (Manager Finance and Administration)

APOLOGIES:
Nil.

ON LEAVE OF ABSENCE:
Nil.

ABSENT:
Nil.

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE
Nil**4. PUBLIC QUESTION TIME**
Nil.**5. APPLICATIONS FOR, AND PREVIOUSLY APPROVED, LEAVE OF ABSENCE AND DISCLOSURES OF INTEREST**Disclosures of Interest

Cr Dunlop	financial	Item 10.4.11
Cr Townsend	impartiality	Item 10.4.1
Cr Goldfinch	financial	Items 10.4.11

6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS
Nil.

7. CONFIRMATION OF MINUTES**7.1 COUNCIL MEETING – 20th DECEMBER, 2010**

COUNCIL DECISION & OFFICER RECOMMENDATION	ITEM 7.1
MOVED: CR TILBROOK SECONDED: CR FIELD	
That the minutes of the meeting of Council held on the 20 th December, 2010 be confirmed as a true and correct record of proceedings.	
CARRIED 7/0	Res: 564/10

8. SUSPENSION OF STANDING ORDERS

Nil.

9. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSIONS

Nil.

10. REPORTS OF OFFICERS**10.1 Manager - Finance and Administration****10.1.1 FINANCIAL STATEMENTS FOR THE PERIODS ENDING 31st OCTOBER AND 30th NOVEMBER 2010**

File Ref:	
Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	15 th December 2010
Author:	Evelyn Arnold – Manager Finance & Administration
Authorising Officer:	Not applicable
Attachments:	Yes – Financial Statements

Summary:

The attached financial statements provide details of the Council's financial activities for the periods ending 31st October 2010 and 30th November 2010.

Background:

Nil.

Comment:

Nil.

Consultation:

Not applicable.

Statutory Obligations:

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

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

Policy Implications:

There are no policy implications.

Budget / Financial Implications:

Details as per attached reports.

Strategic Implications:

Nil.

Sustainability Implications:

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

Voting Requirements:

Simple majority.

COUNCIL DECISION & OFFICER RECOMMENDATION	ITEM 10.1.1
MOVED: CR TILBROOK	SECONDED: CR LANSDOWN
That pursuant to section 6.10 of the Local Government Act 1995 (as amended) and Regulation 35 of the Local Government (Financial Management) Regulations 1996, the Financial Reports for the periods ended 31 st October and 30 th November be accepted.	
CARRIED 7/0	Res: 565/10

10.1.2 ACCOUNTS FOR PAYMENT – MONTHS ENDING 31st OCTOBER 2010 & 30th NOVEMBER 2010

File Ref:

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	15 th December 2010
Author:	Evelyn Arnold – Manager, Finance & Administration
Authorising Officer:	Not applicable
Attachments:	Yes – list of accounts

Summary:

The lists of accounts paid during the months ending 31st October and 30th November 2010 are attached for Council's information.

Background:

Nil

Comment:

Nil

Consultation:

Not Applicable

Statutory Obligations:

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

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

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

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

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

Policy Implications:

There are no policy implications.

Budget / Financial Implications:

Details as per report attached.

Strategic Implications:

Nil

Sustainability Implications:

- **Environmental:**

There are no known significant environmental considerations.

- **Economic:**

There are no known significant economic considerations.

- **Social:**

There are no known significant social considerations.

Voting Requirements:

Simple majority.

COUNCIL DECISION & OFFICER RECOMMENDATION		ITEM 10.1.2
MOVED: CR FIELD		SECONDED: CR LANSDOWN
That pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996, the payment of accounts for the months of October and November 2010, be noted.		
CARRIED 7/0		Res: 566/10

10.2 Manager of Planning and Development

10.2.1 EXPLORATION ACTIVITIES ON RESERVE 12324

File Ref:	14.7.5
Applicant:	Tectonic Resources NL
Location:	Reserve 12324
Disclosure of Officer Interest:	None
Date:	15 th December 2010
Author:	Kobus Nieuwoudt – Manager of Planning & Development Services
Authorising Officer:	Not applicable
Attachments:	Correspondence and plan

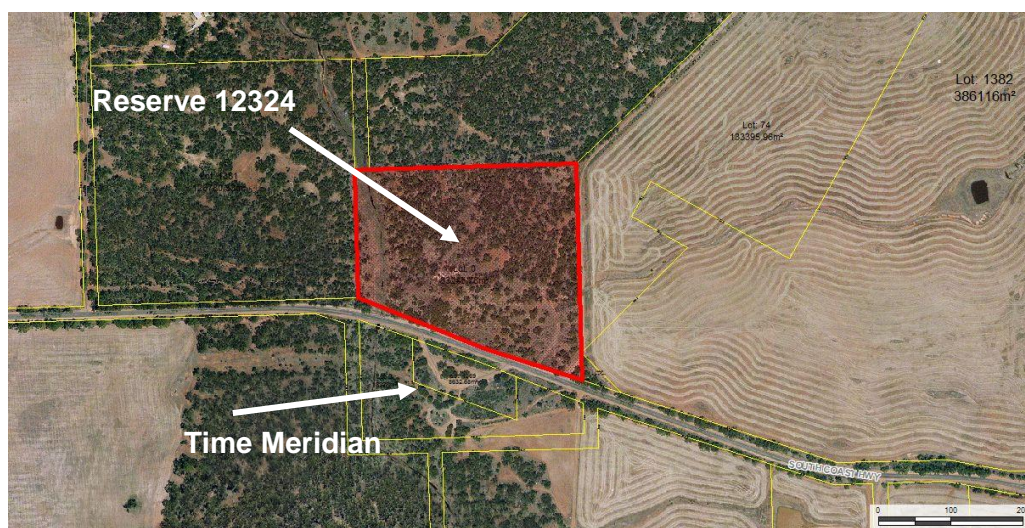
Summary:

Council is asked to consider a proposal by Tectonic Resources to commence exploration activities on Crown Reserve 12324 managed by the Shire.

It is recommended Council advise Tectonic Resources that the proposal is supported.

Background:

Tectonic Resources is the tenement holder of Exploration License E74/399 which wholly covers the reserve in question. The reserve is located north of South Coast Highway directly opposite the Western Australia Time Meridian site west of Ravensthorpe townsite. See location plan below.



The company has developed a keen interest in the prospectivity of historical gold working on, and immediately north of Reserve 12324. Prior to the commencement of any on the ground exploration activities, the company is now seeking Council's written consent.

It is understood the exploration activities may include geological mapping, soil sampling, geophysical surveys and ultimately exploration drilling.

Comment:

There are currently no plans to develop this reserve.

Consequently, it is recommended Council grant consent to Tectonic Resources to commence exploration activities on Reserve 12324 subject to any environmental impacts being kept to an absolute minimum.

Consultation:

Consultation was not considered necessary in relation to the recommendations of this report.

Statutory Obligations:

Under sections 23 to 26 of the *Mining Act 1978*, mining may be carried out on certain classes of land with the written consent of the Hon Minister for Mines and Petroleum.

In respect to reserves vested with local authorities, the Minister is to first consult and obtain the recommendation of the vested authority and the responsible Minister before he can grant consent to mine.

Policy Implications:

Nil.

Budget / Financial Implications:

Nil.

Strategic Implications:

Nil.

Sustainability Implications:

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

Voting Requirements:

Simple majority.

COUNCIL DECISION & OFFICER RECOMMENDATION	ITEM 10.2.1
MOVED: CR TILBROOK	SECONDED: CR DUNLOP
That Council grant consent to Tectonic Resources NL to commence exploration activities on Reserve 12324 subject to any direct environmental impacts being minimised and mitigated to Council's satisfaction.	
CARRIED 7/0	Res: 567/10

10.3 Consulting Manager of Engineering Services

10.3.1 LOADER REPLACEMENT

File Ref:**Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 13th December 2010**Author:** Patrick Steinbacher – Consultant Engineer**Authorising Officer:** Pascoe Durtanovich - CEO**Attachments:** Yes – Summary of Submissions**Summary:**

Council included funds in the 2010/11 budget for the purchase of a new wheel loader. This item presents a summary of submissions and recommends a successful submission.

Background:

The Western Australian Local Government Association's (WALGA) preferred supplier contract was once again utilised in this instance, as has been the case in recent purchases of large equipment such as the prime mover, grader and six wheel truck. The WALGA contract removes the need for Council to go to tender for the purchase of heavy equipment. Instead, Council officers can approach machinery dealers and request prices for plant on a much less formal and less binding basis.

It was decided to proceed on a fairly simple specification so that dealers could submit various options so that officers could get feedback on a large range of options. Also, the nature of the WALGA contract means that the shire can freely negotiate with dealers to arrive at a mutually beneficial outcome.

The basic specifications were as follows:

- Power: 120 – 130 kW
- Bucket Capacity Approximately 3.0 cubic metres
- Weight 12 – 14 tonnes
- Price as an option a weighing system

These specifications represent a loader that is slightly bigger than the current Volvo unit owned by Council, as with the introduction of two semi trailer side tippers to the fleet, the current unit is simply no longer up to the task.

Prices received are summarised as an attachment.

Comment:

From the summary it can be seen that the John Deere 624K is the most attractive option which basically conforms to the specification and therefore this unit is recommended for purchase.

Having said this, officers have held discussions related to this matter and feel that it would be good practice to forgo the trade in of the current Volvo loader and retain it as a back up and for the completion of other tasks throughout the shire. Officers feel the Volvo is in good enough condition to

offer many more years of service in a less demanding role such as this, and as a result, a greater volume of work can be achieved, equipment related logistics are simplified and response times can be reduced.

Removing the trade from the equation still sees the John Deere 624K as the slightly least expensive conforming option and is well below the budget purchase figure of \$260,000.

Officers also recommend that the weighing system be purchased. Compliance with vehicle masses is an important consideration and severe penalties can and will be handed down to Council and Council employees for overloading. The weighing system removes the guess work from the loading of trucks and, additionally, allows Council to take a proactive approach to the issue, which is one that has the potential to be extremely damaging to both Council's and Main Roads' road network, as well as the vehicles themselves.

Consultation:

N/A

Statutory Obligations:

The Local Government Act 1995 and the Local Government Tender Regulations have been complied with.

Policy Implications:

Nil.

Budget / Financial Implications:

The budget change over figure for the purchase of the loader based on the trade in of the current unit is \$195,000. Should Council endorse the officer recommendation and retain the Volvo loader and purchase the John Deere 624K outright, the change over figure will become the purchase price of the John Deere, i.e. \$225,000, plus the cost of the weighing system (\$8,200) an increase of \$38,200.

Strategic Implications:

Nil.

Sustainability Implications:

- **Environmental:**
New equipment on sale in Australia must comply with modern emission standards therefore any new loader purchased will be more efficient and less polluting than older machines.
- **Economic:**
Although the removal of the trade in option is an immediate increase in expenditure, the retention of the current loader (should it meet with Council approval) will result in savings over the long term due to a greater level of flexibility with in the fleet and an ability to achieve greater outcomes with more efficiency.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Absolute majority.

OFFICER RECOMMENDATION	ITEM 10.3.1
That Council	
(1) Not proceed with the trade in of its current Volvo loader as part of the 2010/11 Plant Replacement Program, and instead retain it, and	
(2) Accept Hitachi Construction Machinery's submission of \$255,000 for a John Deere 624K wheel loader and \$8,200 for a suitable weighing system to suit.	

COUNCIL DECISION	ITEM 10.3.1
MOVED: CR LANSDOWN	SECONDED: CR TILBROOK
That Council	
(1) Not proceed with the trade in of its current Volvo loader as part of the 2010/11 Plant Replacement Program, and instead retain it, and	
(2) Accept Hitachi Construction Machinery's submission of \$255,000 for a John Deere 624K wheel loader and \$8,200 for a suitable weighing system to suit.	
(3) Additional funding be sourced from Plant Replacement Reserve.	
CARRIED BY ABSOLUTE MAJORITY 7/0	Res: 568/10

10.4 Chief Executive Officer

10.4.1 RAVENSTHORPE ENTERTAINMENT CENTRE MANAGEMENT COMMITTEE (RECMC) NOVEMBER MEETING

File Ref:	
Applicant:	Not applicable
Location:	Ravensthorpe Sporting Complex
Disclosure of Officer Interest:	None
Date:	10 th December 2010
Author:	Angela Jess – Community Services Officer
Authorising Officer:	Pascoe Durtanovich – Chief Executive Officer
Attachments:	RECMC Planning Document

Prior to any consideration of Item 10.4.1 Cr Townsend made the following declaration:

"I am a member of the Tigers and as a consequence there may be a perception that impartiality on this matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."

Summary:

Consideration of recommendations from the Ravensthorpe Entertainment Centre Management Committee Meeting held on the 3rd November 2010

Background:

The Ravensthorpe Entertainment Centre Management Committee Incorporated (RECMC) is not a Committee of Council, and has no decision making authority. The RECMC is governed by its constitution and a Management Agreement signed by both parties on the 4th August 2009.

Comment:

There are a number of recommendations requiring Council consideration.

1. A planning session was held on the 8th September 2010. The object of this session was to assist the Ravensthorpe Entertainment Centre Management Committee (RECMC) establish a list of spending priorities for profits made from membership income and bar profits.

A planning document was produced which established 2 lists with the group recognising there were certain areas, as a Council facility that only Council could achieve as well as a list of priorities for the RECMC to achieve.

2. The need to establish a policy for the future hanging of honour boards at the Ravensthorpe Entertainment Centre.
3. A recommendation by the RECMC to assist with the hire cost of the dance floor for the Ravensthorpe Community Ball held on the 23rd October 2010 at the Ravensthorpe Entertainment Centre.

Consultation:

Not applicable.

Statutory Obligations:

Nil.

Policy Implications:

Nil.

Budget / Financial Implications:

Monies to be allocated from bar and membership profits.

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 & OFFICER RECOMMENDATION (1) ITEM 10.4.1 (1)	
MOVED: CR LANSDOWN	SECONDED: CR TILBROOK
(1) That Council endorse the report titled "Ravensthorpe Entertainment Centre Planning Document September 2010" following a workshop held by the RECMC in September 2010.	
(2) That the list of Council responsibilities as highlighted in the document be considered for future budget allocation and action by Council.	
CARRIED 7/0	Res: 569/10

OFFICER RECOMMENDATION (2) ITEM 10.4.1 (2)

That in respect to the request from Council for a policy on the hanging of honour boards at the Ravensthorpe Entertainment Centre and the following points be included:

- (1) To remain uniformed – wood colour, lettering and size;
- (2) Boards are to be a permanent fixture and not to be removed temporarily unless for maintenance reasons; and
- (3) Requests to hang honour boards on any other than the approved western red wall to be first approved the RECMC then endorsed by Council.

COUNCIL DECISION (2) ITEM 10.4.1 (2)

MOVED: CR LANSDOWN

SECONDED: CR DUNLOP

That in respect to the request from Council for a policy on the hanging of honour boards at the Ravensthorpe Entertainment Centre and the following points be included:

- (4) To remain uniform – wood colour, lettering and size;
- (5) Boards are to be a permanent fixture and not to be removed temporarily unless for maintenance reasons; and
- (6) That honour boards be restricted to the western wall.

CARRIED 7/0

Res: 570/10

COUNCIL DECISION & OFFICER RECOMMENDATION (3) ITEM 10.4.1 (3)

MOVED: CR TILBROOK

SECONDED: CR FIELD

That, following the results of the RECMC planning workshop, the RECMC reimburse the cost of dance floor hire of an amount of \$400.00 to the Community Ball Committee (RTFSC).

CARRIED 7/0

Res: 571/10

10.4.2 SHIRE OF RAVENSTHORPE, PREMIER'S AUSTRALIA DAY, ACTIVE CITIZENSHIP AWARD

File Ref:

Applicant: Not applicable

Location: Not applicable

Disclosure of Officer Interest: None

Date: 10th December 2010

Author: Angela Jess – Community Services Officer

Authorising Officer: Pascoe Durtanovich – Chief Executive Officer

Attachments: None

Summary:

To consider Australia Day Award Nominations.

Background:

A part of the Australia Day awards, the Premier's Australia Day Active Citizenship Awards focuses on community contribution and participation rather than personal achievement.

The awards are a joint initiative of the Australia Day Council of Western Australia, the Western Australian Local Government Association (WALGA) and the Office of Premier and Cabinet

The awards highlight active citizenship, outstanding contribution to the local community and Australian pride and spirit. There are three categories;

- outstanding community contribution by a local citizen
- outstanding community contribution by a local citizen under 25 years of age
- outstanding community contribution by a local group or community event

Comment:

Two nominations have been received for the “outstanding community contribution by a local citizen” category and one has been received in the category of community group or event. There are no nominations for the under 25's category.

Councillors have been provided with a copy of the nominations. Council is now required to determine a recipient of the award for presentation on Australia Day.

Consultation:

Advertised via email, on the front counter of Shire Administration and on the Shire or Ravensthorpe website.

Statutory Obligations:

Nil.

Policy Implications:

Nil.

Budget / Financial Implications:

Nil.

Strategic Implications:

Nil.

Sustainability Implications:

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

Voting Requirements:

Simple majority.

COUNCIL DECISION	ITEM 10.4.2
MOVED: CR TILBROOK	SECONDED: CR DUNLOP
That all nominations received be accepted.	
CARRIED 7/0	Res: 572/10

Cr Lansdown recorded his vote against the motion.

COUNCIL DECISION & OFFICER RECOMMENDATION	ITEM 10.4.2
MOVED: CR TILBROOK	SECONDED: CR FIELD
(1) That the Premiers Australia Day Active Citizenship Award, in the “outstanding community contribution by a local citizen” category, be awarded to.	
(2) That the Premiers Australia Day Active Citizenship Award, in the “community group or event” category, be awarded to	
CARRIED 7/0	Res: 573/10

10.4.3 ESPERANCE LAND CONSERVATION DISTRICT COMMITTEE – WINDUP OF ACTIVITIES

File Ref:	
Applicant:	Not applicable
Location:	Esperance LCDC which includes surrounding districts
Disclosure of Officer Interest:	None
Date:	13 th December 2010
Author:	Alan Wright – Contract Employee
Authorising Officer:	Pascoe Durtanovich – Chief Executive Officer
Attachments:	None

Summary:

Council is requested to consider the request from the Esperance Land Conservation District Committee (LCDC) for that group to be wound up.

Background:

The Esperance LCDC, of which Ravensthorpe is within the district, have passed a resolution recommending to the Minister for Agriculture, Forestry and Fisheries that the LCDC be wound up and seeks support from local governments within the district to the proposal.

Also public notice was given on 19 November 2010 in the Esperance Express to allow members of the public an opportunity to comment on the proposal.

The Esperance Regional Forum Inc. which was formed by the ELDC in 2001 and incorporated in 2008, allowing the group to be more independent, has taken on all activities of the LCDC and is continuing to do so.

Comment:

The resolution was passed because activities of the LCDC have been taken up by an incorporated group being, the Esperance Regional Forum Inc. which has

broader activities and which is not constrained in terms of membership and functions.

Consultation:

At this point the only consultation undertaken has been the resolution of the Esperance LCDC and written request to the Shire of Ravensthorpe.

Statutory Obligations:

Nil.

Policy Implications:

Nil.

Budget / Financial Implications:

No known budget or financial implications.

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	OFFICER RECOMMENDATION	ITEM 10.4.3
MOVED: CR NORMAN	SECONDED: CR TILBROOK	
That Council support the request of the Esperance Land Conservation District Committee recommending to the Minister for Agriculture, Forestry and Fisheries that that the Land Conservation District Committee be wound up.		
CARRIED 7/0		Res: 574/10

10.4.4 PROPOSED AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1995

File Ref:	
Applicant:	Not applicable
Location:	All Western Australian Local Governments
Disclosure of Officer Interest:	None
Date:	13 th December 2010
Author:	Alan Wright – contract employee
Authorising Officer:	Pascoe Durtanovich – Chief Executive Officer
Attachments:	Yes – Minister's proposal along with WALGA comments.

Summary:

Council is requested to consider the proposed amendments to the Local Government Act 1995 and give comments and feedback to Western Australian Local Government Association (WALGA) on each proposed amendment.

Background:

The Minister for Local Government has invited the sector to comment on a number of proposed amendments to the local Government Act. WALGA has forwarded to all Councils an outline of the proposed amendments requesting Council's to provide comment and strong response prior to preparation of the drafting instructions. This is to ensure that through this consultation process, comments and feedback are representative of the majority of local Governments.

The draft paper was presented to the GEVROC for comment and it was resolved that each Council make separate submissions to WALGA as there may not be an united view on each by the group.

Comment:

The following proposed amendments are for Council consideration;

- 1) Reducing Elected members to between six and nine.
- 2) Salaries and Allowances Tribunal to set the fees for Elected Members.
- 3) New mechanism for the temporary suspension of a Council.
- 4) Require Elected Members to resign when they are elected to State or Commonwealth Parliament.
- 5) Restricting the types of local government investments to low risk products such as those with the treasury Corporation, major banks and government bonds.
- 6) Align criminal conviction criteria for Elected Members with that of Western Australian Members of Parliament.
- 7) To limit employee termination payments to one year's salary.

Attached for Council assistance on the proposed amendments, is a paper prepared by WALGA which outlines the Minister's proposal along with WALGA's comments.

Consultation:

At this point there has been no consultation apart from general discussion generated from the Sustainability Study Proposal and discussion at the GERO meeting .

Statutory Obligations:

Nil.

Policy Implications:

Nil.

Budget / Financial Implications:

No known budget or financial implications.

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 10.4.4

That Council consider the proposed amendments and provide comments to the West Australian Local Government Association.

COUNCIL DECISION

ITEM 10.4.4

MOVED: CR TILBROOK

SECONDED: CR TOWNSEND

That Council support the West Australian Local Government Association's position on the proposed amendments to the Local Government Act 1995.

CARRIED 7/0

Res: 574/10

10.4.5 REQUEST FOR PERMANENT PLAQUE TO BE PLACED AT STARVATION BAY

File Ref:

Applicant:

Andrew Campbell on behalf of family

Location:

Starvation Bay – Shire of Ravensthorpe

Disclosure of Officer Interest:

None

Date:

7th December 2010

Author:

Alan Wright – contract employee

Authorising Officer:

Pascoe Durtanovich – Chief Executive Officer

Attachments:

No

Summary:

Council is requested to approve an application received to have a permanent plaque placed at Starvation Bay on the ocean side boundary of the “old fisherman’s camp”.

Background:

Council have approved similar requests in the past at various locations throughout the Shire of Ravensthorpe.

Comment:

The relationship to Starvation Bay is through the grandparents who first cleared the land in that area and the father and mother who farmed the area as well and always spend holidays at Starvation Bay. The request is for a plaque to be placed there as a memorial to their mother.

Staff can see no problems with the site requested for the plaque to be placed on the condition that it is constructed as outlined in the supporting design and to the satisfaction of Council.

Consultation:

At this point the only consultation undertaken has been with the applicant having a phone conversation with staff whom advised that a request must be put in writing to the Chief Executive Officer.

Statutory Obligations:

Nil.

Policy Implications:

No Policy has been set in the past for these type of requests

Budget / Financial Implications:

There is no known budget or financial implications on Council

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 & OFFICER RECOMMENDATION	ITEM 10.4.5
MOVED: CR FIELD	SECONDED: CR TOWNSEND
That approval be granted to the Campbell family to erect a plaque at the Starvation Bay Fishermans Camp site as a memorial to Beverley Lorraine Campbell, in accordance with the plans and specifications submitted.	
CARRIED 7/0	Res: 575/10

10.4.6 COUNCIL MEETING DATES – 2011**File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 13th December 2010**Author:** Pascoe Durtanovich – Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:** None**Summary:**

Council is required to determine meeting dates for 2011 and the need to have a meeting in January.

Background:

In accordance with the Local Government Act 1995, Council is required to advertise Council meeting dates at least once per annum.

The January Council meeting dates are the 17th and 20th and as such are not impacted on by the January 26th public holiday, however as January is a relatively quiet month and with the potential for staff and Councillor absenteeism, the need to have a Council meeting should be reassessed.

Council should also give consideration to the number of meetings to be held in Hopetoun and Munglinup.

Comment:

A recommended 2011 schedule of Council meetings is as follows:

DATE		VENUE	START TIME
	January 2010	Nil	Nil
Monday	21 February	Ravensthorpe	5.00 pm
Thursday	24 February	Ravensthorpe	5.00 pm
Monday	21 March	Hopetoun RTC	5.00 pm
Thursday	24 March	Hopetoun RTC	5.00 pm
Monday	18 April	Ravensthorpe	5.00 pm
Thursday	21 April	Ravensthorpe	5.00 pm
Monday	16 May	Ravensthorpe	5.00 pm
Thursday	19 May	Ravensthorpe	5.00 pm
Monday	20 June	Ravensthorpe	5.00 pm
Thursday	23 June	Ravensthorpe	5.00 pm
Monday	18 July	Ravensthorpe	5.00 pm
Thursday	21 July	Ravensthorpe	5.00 pm
Monday	15 August	Ravensthorpe	5.00 pm
Thursday	18 August	Ravensthorpe	5.00 pm
Monday	19 September	Hopetoun RTC	5.00 pm
Thursday	22 September	Hopetoun RTC	5.00 pm
Monday	17 October	Ravensthorpe	5.00 pm
Thursday	20 October	Ravensthorpe	5.00 pm
Monday	21 November	Ravensthorpe	5.00 pm
Thursday	24 November	Ravensthorpe	5.00 pm
Monday	19 December	Ravensthorpe	5.00 pm
Thursday	22 December	Ravensthorpe	5.00 pm

The change to previous years is the recommended additional three meetings in Hopetoun and none in Munglinup.

Consultation:

Meeting dates will be advertised in the Community Spirit, Community Resource Centres, Council notice board and the Esperance Express.

Statutory Obligations:

The Local Government Act 1995, Local Government (Administration) Regulations, require that the meetings for the year be advertised for public information.

Policy Implications:

Nil.

Budget / Financial Implications:

Nil.

Strategic Implications:

Nil.

Sustainability Implications:

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

Voting Requirements:

Simple majority.

OFFICER RECOMMENDATION

ITEM 10.4.6

That the following Council meeting dates be adopted for 2011 and be advertised for public information, in accordance with the Local Government Act 1995.

DATE		VENUE	START TIME
	January 2010	Nil	Nil
Monday	21 February	Ravensthorpe	5.00 pm
Thursday	24 February	Ravensthorpe	5.00 pm
Monday	21 March	Hopetoun	5.00 pm
Thursday	24 March	Hopetoun	5.00 pm
Monday	18 April	Ravensthorpe	5.00 pm
Thursday	21 April	Ravensthorpe	5.00 pm
Monday	16 May	Ravensthorpe	5.00 pm
Thursday	19 May	Ravensthorpe	5.00 pm
Monday	20 June	Ravensthorpe	5.00 pm
Thursday	23 June	Ravensthorpe	5.00 pm
Monday	18 July	Ravensthorpe	5.00 pm
Thursday	21 July	Ravensthorpe	5.00 pm
Monday	15 August	Ravensthorpe	5.00 pm
Thursday	18 August	Ravensthorpe	5.00 pm
Monday	19 September	Hopetoun	5.00 pm
Thursday	22 September	Hopetoun	5.00 pm
Monday	17 October	Ravensthorpe	5.00 pm

Thursday	20 October	Ravensthorpe	5.00 pm
Monday	21 November	Ravensthorpe	5.00 pm
Thursday	24 November	Ravensthorpe	5.00 pm
Monday	19 December	Ravensthorpe	5.00 pm
Thursday	22 December	Ravensthorpe	5.00 pm

COUNCIL DECISION

ITEM 10.4.6

MOVED: CR TOWNSEND

SECONDED: CR FIELD

That the following Council meeting dates be adopted for 2011 and be advertised for public information, in accordance with the Local Government Act 1995.

DATE	VENUE	START TIME
January 2010	Nil	Nil
Monday 21 February	Ravensthorpe	5.00 pm
Thursday 24 February	Ravensthorpe	5.00 pm
Monday 21 March	Hopetoun	5.00 pm
Thursday 24 March	Ravensthorpe	5.00 pm
Monday 18 April	Ravensthorpe	5.00 pm
Thursday 21 April	Ravensthorpe	5.00 pm
Monday 16 May	Ravensthorpe	5.00 pm
Thursday 19 May	Ravensthorpe	5.00 pm
Monday 20 June	Hopetoun	5.00 pm
Thursday 23 June	Ravensthorpe	5.00 pm
Monday 18 July	Munglinup	5.00 pm
Thursday 21 July	Ravensthorpe	5.00 pm
Monday 15 August	Ravensthorpe	5.00 pm
Thursday 18 August	Ravensthorpe	5.00 pm
Monday 19 September	Hopetoun	5.00 pm
Thursday 22 September	Ravensthorpe	5.00 pm
Monday 17 October	Hopetoun	5.00 pm
Thursday 20 October	Ravensthorpe	5.00 pm
Monday 21 November	Ravensthorpe	5.00 pm
Thursday 24 November	Ravensthorpe	5.00 pm
Monday 19 December	Ravensthorpe	5.00 pm
Thursday 22 December	Ravensthorpe	5.00 pm

CARRIED 7/0

Res: 576/10

10.4.7 COUNCILLOR BRIEFING / TRAINING

File Ref:

Applicant:

Not applicable

Location:

Not applicable

Disclosure of Officer Interest:

None

Date:

13th December 2010

Author:

Pascoe Durtanovich – Chief Executive Officer

Authorising Officer:

Not applicable

Attachments:

No

Summary:

Council is requested to approve the provision of a Councillor training and briefing session.

Background:

With the election of a new Councillor and the need for existing Councillors and staff to refresh their knowledge of conflict of interest provisions, role of elected members and appointed staff, code of conduct, etc, it is opportune to schedule a training / briefing session.

Comment:

It is proposed that Mr Neil Douglas partner, McLeods Barristers and Solicitors, be engaged to deliver a one day briefing, in Ravensthorpe, to Councillors and senior staff.

The major topics to be discussed would be:

1. The roles and responsibilities of the Council and individual Councillors;
2. conflicts of interest (including impartiality, financial and proximity interests); and
3. the Shire's Code of Conduct and the Rules of Conduct under the relevant regulations.

There are several other topics that could be included if time permits.

It is essential that all Councillors attend therefore a suitable date, in the New Year, should be carefully considered.

Consultation:

Not applicable.

Statutory Obligations:

Nil.

Policy Implications:

Nil.

Budget / Financial Implications:

The cost quoted is \$7,500 plus travelling. Adequate funds are available in the current Elected Member and Administration budget.

Strategic Implications:

The Shire of Ravensthorpe Strategic Plan – Action Plan 3-3(C) page 58 and Action Plan 5-2(D) page 7 is relevant to this item.

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 & OFFICER RECOMMENDATION	ITEM 10.4.7
MOVED: CR TILBROOK	SECONDED: CR LANSDOWN
The Mr Neil Douglas, Partner, McLeods Barristers and Solicitors be engaged, at a cost of \$7,500 plus travelling, to deliver training/briefing on the following topics:	
<ol style="list-style-type: none"> 1. The roles and responsibilities of the Council and individual Councillors; 2. conflicts of interest (including impartiality, financial and proximity interests); and 3. the Shire's Code of Conduct and the Rules of Conduct under the relevant regulations. 	
CARRIED 7/0	Res: 577/10

10.4.8 CONTRIBUTION TO STRATEGIC WASTE MANAGEMENT PROJECT

File Ref:	
Applicant:	Shire of Ravensthorpe
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	7 th May 2010
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Yes – copy of consultants submission

Summary:

Council is requested to authorise \$10,000 +GST for its contribution to the Regional Royalties for Regions project.

Background:

Up to \$100,000 is being provided to each of the nine Regional Development Commissions (RDCs) to support regional groupings of country local governments (groups) to identify, scope and plan priority regional infrastructure projects.

Business cases for priority infrastructure projects will be a pre-requisite for regional groups of country local governments to access 35% of the total funding available from the CLGF in 2010/2011.

At the meeting on the 22nd April 2010, Council resolved as follows:

“That Waste Management be identified for assessment as a regional project under the CLGF.”

GHD has been appointed to prepare the business case (copy of their submission is attached).

Comment:

The process has commenced and is anticipated to be completed by March 2011.

The Shire of Ravensthorpe is in a unique situation in that it is a member of the Goldfields Esperance Local Government Zone and is within the Goldfields

Esperance Development Commission area but has identified a regional project with the Great Southern Development Commission area local governments.

Local Governments involved with the Regional Waste Project include Katanning, Gnowangerup, Kent, Jerramungup and Ravensthorpe.

Council's contribution to the project is \$10,000, which is similar to the other participating Councils, with \$40,000 being contributed by the Great Southern Development Commission.

Consultation:

The local governments of Katanning, Kent, Gnowangerup and Jerramungup have been consulted and are participants in the project.

Statutory Obligations:

Relevant legislation is the Waste Avoidance and Resource Recovery (WARR) Act 2007 and WARR Regulations 2008.

Country Local Government Fund guidelines have to be complied with.

Policy Implications:

Nil.

Budget / Financial Implications:

Council has not budgeted for this expenditure, however has budgeted \$10,000 for Local Government reform. It is recommended that these funds be reallocated to this project.

Financial implications under a regional approach will be identified in the Business Case.

Based on the 2008/9 allocation of R4R funding 35% will be \$227,000.

Strategic Implications:

The Shire of Ravensthorpe Strategic Plan/Plan for the Future identifies Waste Management as a high priority under Action 115.

Sustainability Implications:

- **Environmental:**
The outcome of the business case should lead to better management of waste disposal in the region.
- **Economic:**
There are no known significant economic considerations.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Absolute majority.

COUNCIL DECISION & OFFICER RECOMMENDATION **ITEM 10.4.8****MOVED: CR FIELD****SECONDED: CR NORMAN**

That unbudgeted expenditure of \$10,000 plus GST be authorised as the Shire of Ravensthorpe's contribution to the consultancy fee for the preparation of the Regional Waste Management Business Case and the funds allocated to local government reform in the current budget be used for this purpose.

CARRIED BY ABSOLUTE MAJORITY 7/0**Res: 578/10****10.4.9 APPOINTMENT OF SHORT TERM CARETAKER/RANGER SHIRE OF RAVENSTHORPE****File Ref:****Applicant:**

Mr Kenneth John Atkinson

Location:

Starvation Bay

Disclosure of Officer Interest:

None

Date:14th December 2010**Author:**

Alan Wright

Authorising Officer:

Pascoe Durtanovich – Chief Executive Officer

Attachments:

None

Summary:

Council is requested to approve the appointment of a short term caretaker/ranger for the period 22 December 2010 through to 31 January 2011.

Background:

An expression of interest was advertised for the provision of a short term caretaker services for the coastal camping and recreation areas from Hopetoun to Starvation Bay. Closing date for the position was 10 December 2010.

Only one expression of interest was received.

Comment:

The position involves collection of fees at Starvation and Masons Bays, along with cleaning and disposal of rubbish over that period. The successful applicant will provide their own caravan accommodation which is to be stationed at Starvation Bay. A Council utility will be provided.

Consultation:

Interviews have been carried out with the applicants by the chief Executive Officer.

Statutory Obligations:

Absolute majority for unbudgeted expenditure.

Policy Implications:

Nil.

Budget / Financial Implications:

An hourly rate of \$27.50 has been negotiated with the suitable applicant. It is estimated that 5 hours per day will be worked for 40 days, costing approximately \$5,500. Plus the cost of fuel, which is minimal.

It is expected that the majority of this cost will be offset by increased income.

Strategic Implications:

Nil.

Sustainability Implications:

- **Environmental:**

There are no known significant environmental considerations.

- **Economic:**

There are no known significant economic considerations.

- **Social:**

There are no known significant social considerations.

Voting Requirements:

Absolute majority.

COUNCIL DECISION & OFFICER RECOMMENDATION		ITEM 10.4.9
MOVED: CR DUNLOP	SECONDED: CR TOWNSEND	
1. That Kenneth John Atkinson be appointed Caretaker/Ranger for the period 22 December 2010 to 31 January 2011 and his appointment be advertised in the Government Gazette as required.		
2. That unbudgeted expenditure of up to \$6,000 be authorised for this purpose.		
CARRIED BY ABSOLUTE MAJORITY 7/0		Res: 579/10

10.4.10 POINT OF SALE SOLUTION FOR THE RAVENSTHORPE ENTERTAINMENT CENTRE

File Ref:**Applicant:**

Not applicable

Location:

Shire of Ravensthorpe

Disclosure of Officer Interest:

None

Date:

14th December 2010

Author:

Angela Jess – Community Services Officer

Authorising Officer:

Pascoe Durtanovich – Chief Executive Officer

Attachments:

None

Summary:

Council is requested to consider the purchase of a Point of Sale (POS) system for the Ravensthorpe Entertainment Centre.

Background:

Earlier in 2010 the Shire of Ravensthorpe was successful in securing a liquor license for the upper level bar and entertainment area of the Ravensthorpe Entertainment Centre. The purpose of Council holding this Restricted Tavern Licence over another type of licence such as a Club or Club Restricted is it allows the Shire of Ravensthorpe to be the licensing body thus allowing access by the broader community, instead of limiting use to only selected sporting groups.

A system has never been implemented to regulate stock and sales figures and to date this process has been completed manually.

Comment:

The manual completion of this process is detailed and time consuming and a solution has been sought for this process for quite some time.

After consultation with other Local Government authorities with similar populations and requirements as the Shire of Ravensthorpe, and in conjunction with PCS – the Shire of Ravensthorpe's IT consultants, a suitable Point of Sale system tailored to meet the needs of our venue has been recommended.

The recommended system will allow sales transactions to be performed a bar level whilst monitoring stock levels. This system will also automatically produce financial and transaction reports which will be linked to a PC located in the Recreation Managers office on the upper level which will ultimately allow easier and better management of the overall operation.

This program will also be able to account for the collection of Ravensthorpe Entertainment Centre memberships which is also an area needing addressing.

There is also scope to add more terminals or expand into other areas such as restaurant/kitchen ordering and sales if ever required in the future.

Consultation:

Consultation has been undertaken with other Local Government Authorities in Kulin, Kambalda, Kalgoorlie, Esperance, Katanning and Lake Grace. This consultation has been made in conjunction with the Shire of Ravensthorpe's Manager of Finance and Administration and our IT consultants, PCS.

Statutory Obligations:

Nil.

Policy Implications:

Nil.

Budget / Financial Implications:

The quoted amount is \$10,230.00 and includes all hardware, software and installation.

This is an unbudgeted item although funds are available in the current allocated budget for capital expenditure - computer upgrades.

Strategic Implications:

Nil.

Sustainability Implications:

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

Voting Requirements:

Absolute majority.

COUNCIL DECISION & OFFICER RECOMMENDATION	ITEM 10.4.10
MOVED: CR LANSDOWN	SECONDED: CR TILBROOK
That Council authorise unbudgeted expenditure of up to \$11,000 for the purchase of a point of sale computer system for the Ravensthorpe Entertainment Centre.	
CARRIED BY ABSOLUTE MAJORITY 7/0	Res: 580/10

10.4.11 PROPOSED TAVERN AT WAVECREST VILLAGE, HOPETOUN

File Ref:	13.0.HRR279
Applicant:	Harley Global Pty Ltd
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	14 th December 2010
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	<ul style="list-style-type: none"> •Planning proposal and justification •SAT Order

Cr Goldfinch declared a financial interest in this item on the basis that he is the owner of Units36/41.

Cr Dunlop declared a financial interest in this item on the basis of his part time involvement with R & L Constructions.

5.50pm - Crs Goldfinch and Dunlop left the meeting and did not take part in discussion or vote on the matter.

COUNCIL DECISION	
MOVED: CR TILBROOK	SECONDED: CR TOWNSEND
That Cr Landsdown be appointed Acting Chairman.	
CARRIED 5/0	Res: 581/10

Summary:

Council's Manager Planning & Development Services (Acting CEO at the time) requested Council to consider a 'Change of Use' application for a tavern in the existing commercial premises (*Nic's 107*) at Wavecrest Village at the October Ordinary Council Meeting held on 21st October 2010.

Council did not make a decision on the matter as the motion moved to approve lapsed due to the lack of a seconder.

The applicant has since lodged an appeal with the State Administrative Tribunal (SAT) has now invited Council to determine the application at its meeting on 23rd December 2010.

This report recommends the application be refused.

Background:

As Council is aware, Wavecrest Village was recently rezoned (Amendment 21) with a view to:

- Ensure that the relevant planning controls accurately reflect the existing development (convenience store, café, restaurant and function centre) and use of the site; and
- Allow two additional commercial use classes ('Liquor Store' and 'Tavern') to those already legally approved by Council in April 2004.

Council resolved under Item 10.2.3 (Res 321/10) its Ordinary Council Meeting held on 18th February 2010 as follows:

"That:-

1. *Council Forward to the Western Australian Planning Commission the Schedule of Submissions and recommendations in relation to Amendment No.21;*

2. *Amendment No.21 to Shire of Ravensthorpe Town Planning Scheme No.5 be modified to:*

2.1 Exclude the terms 'Liquor Store' and 'Tavern' from the "uses permitted" column of Schedule 2 for Special Use Zone 11;

2.2 Further modify Schedule 2 as it applies to Special Use Zone 11 by deleting the following text from "Conditions" column:

"All development or changes of use of any part of the commercial development are to be granted Planning Approval by the local government in accordance with the Scheme prior to the development or use commencing."

3. *Amendment No.21 to Shire of Ravensthorpe Town Planning Scheme No.5 be adopted for final approval as expressed in the Amendment Document (as modified); and*
4. *The President and Chief Executive Officer be authorised to execute three (3) copies of the Amendment Documents for Amendment No.21 to Shire of Ravensthorpe Town Planning Scheme No.5 in accordance with regulation 22 of the Town Planning Regulations 1967 (as amended), including the fixing of the Council's Seal in the event that the Minister of Planning approves the Amendment without any further modification."*

The motion was carried 4/1.

The amendment documentation, including the Schedule of Submissions and Schedule of Modifications, was forwarded to the Western Australian Planning Commission (the Commission) on 25th February 2010 advising that Council resolved to adopt the application with modifications (excluding the Liquor Store and Tavern as incidental uses at the caravan park).

The Commission advised the Shire on the 5th August 2010 that the Minister for Planning determined the submissions in accordance with the Schedule of Submissions and has decided not to approve the amendment until such time as the modifications set out in the attached schedule are effected.

In accordance with the provisions of regulations 21 (2) and 25 of the Town Planning Regulations, 1967 (as amended), Council was required to return the executed modified amending documents to the Commission within 42 days of being notified of the Minister's decision.

Three (3) duly signed and executed sets of the amendment documents pertaining to Amendment 21 was forwarded to the Commission on 17th September 2010. Amendment 21 was Gazetted in the Government Gazette on Friday 29th October 2010.

The zoning of Wavecrest Village is illustrated below:

Special Use Area 11 as contained in Schedule 2 of the Scheme -

	Description of land	Special Use	Conditions
11	279 Hopetoun-Ravensthorpe Road, Hopetoun (Lot 6381 on Diagram 94334)	Caravan Park with the following incidental uses and level of permissibility as provided by Clause 4.3.2 of this Scheme: Convenience Store (D) Restaurant (D) Fast Food Outlet (A) Reception Centre (A) Tavern (A)	All incidental uses are to be held in a combined single tenancy and the maximum combined commercial Net Lettable Area is to be 400m ² .

'Tavern' is classified as an 'A' use on Special Use Area 11, meaning "*the use is not permitted unless the local government has exercised its discretion and has granted approval after giving special notice in accordance with clause 9.4*".

The proposal for the tavern has been outlined in detail in the applicant's document titled "Application for Planning Approval (Change of Use) – Proposed Tavern at Wavecrest Village, Hopetoun" (see attachment).

The Proposal

The proposal relates to changing the uses of the existing building from shop, take-away outlet and restaurant to tavern, restaurant and take-away outlet.

The main use will be the tavern, which will expand on the existing, but currently not operating restaurant. It is understood the tavern will include a restaurant with the main change being incorporation of a lounge / cocktail bar and expansion of the current liquor licence to allow for the sale of drinks without a meal.

The restaurant section will overlook an alfresco area with a small children's playground in a similar manner to many 'family bistro' and fast food outlets.

The proposed trading hours will be 6am – 12 Midnight Monday to Saturday and 10am to 10pm Sunday. There are additional limitations on Anzac Day, Good Friday and Christmas Day.

The detailed internal layout will depend upon any conditions placed by the liquor licence. However, it is intended that the tavern will be accessed through a new entry in the northern side of the existing building.

The main lounge / cocktail bar area will be located in the area previously occupied by the convenience store and restaurant at the front of the building. The new restaurant area will be located in the former recreation room adjacent to the ablution facilities and alfresco area.

The existing ablutions, including disabled unisex toilet and baby change room will remain unaltered.

Deliveries and rubbish storage is located on the southern side of the building in an enclosed area away from the public areas of the venue and directly accessible to the kitchen.

The proposal will provide a separate take-away counter area. According to the proposal, this will be operated by the managers of the tavern and will not be a separate tenancy. However, it will be physically separated from the public tavern and restaurant areas and will be provided with separated parking and customer access.

A new car parking area will be developed on the northern side of the building to cater for the tavern whereas the existing bays in front of the building will be for the use of customers of the take-away area.

Wavecrest Village is served by two driveways from Hopetoun- Ravensthorpe Road. The northernmost driveway (see attached Wavecrest Village Development Guide Plan) is intended to be the access point for tavern patrons. The existing driveway will be realigned to enter the site along the northern side of the tavern building from where it will connect into the existing village road network and access a new parking area to be located on the eastern portion of the existing caravan / RV area.

The existing front parking area will be accessed from the southern access driveway and clearly marked to show this area is for take-away customers only.

The realigned entry will also cater for caravans and RV's entering the caravan park area of the Village. Currently, large vans and RV's are forced to travel through the residential part of the Village to access the sites. The realigned entry will thus segregate short-stay caravan and RV visitor traffic from permanent residential traffic by providing separate entry and exit points.

The development guide plan shows the provision of 46 car parking bays located on the north side of the building for tavern and restaurant patrons and 11 bays located at the front of the building for take-away customers. This area has been constructed previously, however, the bays will be realigned from 60° angle to 90° angle.

The applicant has indicated that additional overflow car parking will only be required for large functions and has noted that this is readily available within the Village road network and on the large gravel area in front of the Village.

Comment:

It is important to note that the approval of Amendment No. 21 does not necessarily construe approval of the proposed tavern by Council.

The 'Tavern' use has been included under *Special Use Area 11* (as contained in Schedule 2 of the Scheme) as an 'A' use. An 'A' use means the use is not permitted unless Council has exercised its discretion and has granted approval after giving special notice in accordance with clause 9.4 of the Scheme.

In simple terms, the Scheme provides the ability for Council to consider a planning application proposing a tavern on the property and does not obligate it to do so.

Clause 10.2 of the Scheme outlines the matters which Council must have due regard to when considering an Application for Planning Approval. The proposal is deemed to be inconsistent with several matters under clause 10.2. The table below outlines these matters and provides comment on how the proposal fails to address each:

No.	Matter to be considered	How this proposal addresses the matter
b)	the Local Planning Strategy	<p>The Manager Planning & Development Services report to Council on 18th February 2010 with regard to Amendment 21 describes the proposed land uses' (liquor store and tavern) inconsistency of the proposal with the Local Planning Strategy (LPS) as follows:</p> <p><i>"The existing commercial development at Nic's 107 is very prominent and is indisputably the primary land use on a site zoned for a 'caravan park'. These commercial uses are clearly not ancillary to the park home park and are largely inconsistent with the Strategic Land Use Plan in the current LPS or the new Draft LPS"</i></p> <p>Whilst Amendment No. 21 gives Council discretionary powers to approve a tavern use at the premises, doing so would be inconsistent with Council's LPS.</p>
d)	any approved Statement of Planning Policy of the Commission	<p>The proposal is deemed to be largely inconsistent with Statement of Planning Policy No.3 'Urban Growth and Settlement' (SPP3).</p> <p>An important objective of SPP3 is:</p> <p><i>"To build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities"</i></p> <p>A tavern development in this location,</p>

		<p>approximately 4 km north of Hopetoun town centre would be in conflict with this particular objective of SPP3. It is contended that the proposed tavern development, if allowed to proceed, may, potentially, undermine the function and future success of Hopetoun's existing commercial centre.</p> <p>Any intensification of the commercial uses permitted at Wavecrest Village will severely undermine several objectives of the Draft Hopetoun Mainstreet Strategy adopted by Council at its Ordinary Council Meeting held on 19th August 2010, notably the following:</p> <p><i>"Image of the Town Centre: Building the reputation of an area as a tourist attraction is largely an exercise in marketing and image creation. At present, Hopetoun town centre has few shops of interest to tourists. A key step in this process is to attract more retail and entertainment uses. This will ensure a more constant level of activity on Veal Street."</i></p>
k) y)	<p>any social issues that have an effect on the amenity of the locality</p> <p>the potential loss of any community service or benefit resulting from the planning approval</p>	<p>The Town Centre serves a vital role in the social and cultural life of the community. As such it makes perfect sense to locate supporting activities within the Town Centre. By fragmenting the activities more appropriately located within the Town Centre, the proposed tavern will undermine the function of Hopetoun's Town Centre and this may, potentially, result in the loss of community services (including shopping and recreation services) for the local community and visitors to Hopetoun.</p>
z)	any relevant submissions received on the application	<p>Council has received two objections to the proposed tavern development.</p> <p>Council has also received a number of submissions in support of the proposal. These submissions, however, fail to provide proper justification for supporting the tavern proposal.</p> <p>These submissions are attached.</p>
bb)	any other planning consideration the local government considers relevant	<p>The commercial development and uses at Nic's 107 (Wavecrest) are identical in character, function and scale to those commonly associated</p>

		with and found in commercial centres of small towns. It is contended that the commercial activities at Nic's 107 compete head on with the commercial activities on Veal Street.
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Finally, Council has an obligation to ensure that Hopetoun Town Centre remain the focus for commercial activities in the region. This principle is enshrined in Council's Local Planning Strategy and should be protected at all times.

It is therefore recommended that Council refuse the application for a land use change (tavern) at Wavecrest Village.

Consultation:

The proposal was advertised in accordance with Part 9, clause 9.4.3 of Council's Town Planning Scheme No.5 in the following manner:

- Publication of a notice in the *Esperance Express* of 24th September 2010;
- Publication of a notice in the *Community Spirit* of 30th September 2010;
- Placement of a notice in a conspicuous place at Wavecrest Village from 24th September 2010 until 14th October 2010 (total of 21 days);
- Placement of a copy of the planning proposal at the Shire office's front counter from 24th September 2010 until 14th October 2010 (total of 21 days).

A total of 4 submissions were received during the advertising period.

Submissions received in favour of the proposal (total of 2) have been summarised as follows:

- The proposal will encourage and promote tourism in the Shire;
- It should not be up to Council to decide who can and who cannot do business in the Shire, provided they abide to Shire rules and regulations; and
- The town of Hopetoun would benefit from the establishment of a tavern at Wavecrest Village.

Submissions received raising an objection to the proposal (total of 2) have been summarised as follows:

- Argues the proposed 'Tavern' use is entirely inconsistent with the provisions and objectives of the relevant statutory and strategic planning instruments, for the following reasons:
 - The applicant has not provided necessary plans and documents as outlined in Clause 9.2 - Accompanying Materials of TPS5. It would be inappropriate for Council to consider such an application without all of the required content available to inform the decision-making process;
 - The intensification of commercial activity on the land is in direct contrast to the vision of the Shire's Local Planning Strategy;
 - The intensification of commercial activity on the land is inconsistent with the objectives of SPP3 or the key indicators of a sustainable community;
 - Approval of the proposal would undermine implementation of the HMS, which seeks to revitalise and develop the Hopetoun mainstreet, and will undermine private investment in the town;

- The proposed development seeks a significant shortfall in car parking, and the proposed parking is unlikely to be adequate to cater for the demand generated by the proposed development. The use of informal 'overflow parking' on Council's verge is not an appropriate solution; and
- The proposed tavern will impact on the fledging liquor store business at Ravensthorpe Cellars as Hopetoun is part of its customer base for takeaway liquor

Copies of submissions received can be made available to Council upon request.

The proposal was also referred to Main Roads WA Great Southern Region who responded as follows:

- “1. *The existing northern most access point is to be closed as this access was only temporary for the construction of the village and is not approved.*
2. ***All** parking is to be contained within the property boundary. Any overflow parking (as shown on the attached Guide Plan) within the Ravensthorpe – Hopetoun Road reserve will not be approved.*
3. *Any change of use or upgrade of the existing 2 crossovers will require the prior approval of the Regional Manager, Main Roads Great Southern.*
4. *All vegetation within the Ravensthorpe – Hopetoun Road reserve is to be retained.”*

Statutory Obligations:

The zoning of Wavecrest Village is illustrated below:

Special Use Area 11 as contained in Schedule 2 of the Scheme:

	Description of land	Special Use	Conditions
11	279 Hopetoun-Ravensthorpe Road, Hopetoun (Lot 6381 on Diagram 94334)	Caravan Park with the following incidental uses and level of permissibility as provided by Clause 4.3.2 of this Scheme: Convenience Store (D) Restaurant (D) Fast Food Outlet (A) Reception Centre (A) Tavern (A)	All incidental uses are to be held in a combined single tenancy and the maximum combined commercial Net Lettable Area is to be 400m ² .

'Tavern' is classified as an 'A' use on Special Use Area 11, meaning “*the use is not permitted unless the local government has exercised its discretion and has granted approval after giving special notice in accordance with clause 9.4*”.

Policy Implications:

Nil.

Budget / Financial Implications:

There are no budget and/or financial implications of the recommendations of this report.

Strategic Implications:

Nil.

Sustainability Implications:

- **Environmental:**

There are no known significant environmental considerations.

- **Economic:**

The proposed tavern development, if allowed to proceed, may, potentially, undermine the function and future success of Hopetoun's existing commercial centre.

- **Social:**

The Town Centre serves a vital role in the social and cultural life of the community. By fragmenting the activities more appropriately located within the Town Centre, the proposed tavern will undermine the function of Hopetoun's Town Centre and this may, potentially, result in the loss of community services (including shopping and recreation services) for the local community and visitors to Hopetoun.

Voting Requirements:

Simple majority.

COUNCIL DECISION & OFFICER RECOMMENDATION	ITEM 10.4.11
MOVED: CR TILBROOK	SECONDED: CR FIELD
That Council advise Harley Global Pty Ltd and the State Administrative Tribunal that Council refuse the application for Planning Approval for the establishment of a tavern at Lot 54 (279) Hopetoun-Ravensthorpe Road, Hopetoun as outlined in the application received 6 September 2010 (P10/036) for the following reasons:	
<ol style="list-style-type: none"> 1. The proposal is inconsistent with the orderly and proper planning of the locality; 2. The intensification of commercial activity on the land is in direct contrast to the vision of the Shire of Ravensthorpe Local Planning Strategy; 3. The intensification of commercial activity on the land would cause a 'polarisation reversal effect' that will see the already fragile Hopetoun Town Centre perish over time; 4. The proposed tavern would undermine the implementation of the Hopetoun Mainstreet Strategy which seeks to revitalise and develop Hopetoun's main street; and 5. The intensification of commercial activity in this location is inconsistent with the objectives of Statement of Planning Policy No.3 'Urban Growth and Settlement' (SPP3) or the key indicators of a sustainable community. 	
CARRIED 4/1	Res: 582/10

5.52pm – CrDunlop and Cr Goldfinch returned to the meeting.

Cr Goldfinch resumed the Chair.

10.4.12 RAVENSTHORPE AIRPORT HANDLING STAFF & AGREEMENT

File Ref:	
Applicant:	Not applicable
Location:	Reserve Ravensthorpe Airport
Disclosure of Officer Interest:	None
Date:	1 st December 2010
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	None

Summary:

Council is requested to –

- a) approve the continuing appointment of employees as Ground Handling Staff to carry out the operations at the Ravensthorpe Aerodrome,
- b) approve the signing of the agreement between Council and Skywest
- c) approve a budget amendment to cover expenditure and income for these appointments.

Background:

During the lead up to the new service by SKYWEST commencing, the Chief Executive Officer discussed with Skywest for the Shire Council to supply ground staff to assist in the operations.

Skywest have agreed to a nominal sum of \$250 per turnaround with a clause to cover costs of employees in case of a delays, and also costs over 30 minutes after schedule departure time.

Comment:

A draft agreement has been drawn up for consideration of Council and signing with Council also approving the continuation of the service by staff to assist with the operations of Skywest to the Ravensthorpe Airport.

Should the sum of \$250 per turnaround not be sufficient, then Council would be required to approach Skywest for an increase especially if the numbers utilising the flight service greatly increases in the future.

Consultation:

At this point consultation has been undertaken by the Chief executive Officer and Skywest representatives to develop a suitable operation to all concerned for the benefit of the community. Along with this a draft agreement has been drawn up to be signed.

Statutory Obligations:

Nil

Policy Implications:

Nil.

Budget / Financial Implications:

Budget variation is required to cover the expected expenditure which will be offset by the agreed income offered by Skywest

For the 2010/11 financial year with the expectation of 4 flights per week for 33 weeks at \$250 per turnaround equates to approximately \$33,000.

This will be offset by the wages to cover council costs.

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 however the opportunity to have regular flights to and from Perth will benefit the community greatly.

Voting Requirements:

Absolute majority.

COUNCIL DECISION & OFFICER RECOMMENDATION	ITEM 10.4.12
MOVED: CR TILBROOK	SECONDED: CR NORMAN
(1) That Council approve the continued appointment of ground handling staff for the Ravensthorpe Airport.	
(2) That Council approve the signing and sealing of the standard ground handling agreement for the Ravensthorpe Airport between Council and Skywest	
(3) That Council approve a budget amendment by absolute majority to cover costs associated with the operations of the Ravensthorpe Airport by increasing the Income by \$33,000 and the Expenditure by \$33,000	
CARRIED BY ABSOLUTE MAJORITY 7/0	Res: 583/10

10.4.13 GRATUITY PAYMENTS - POLICY

File Ref:	
Applicant:	Not applicable
Location:	All Staff
Disclosure of Officer Interest:	None
Date:	6 th December 2010
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	None

Summary:

Council to consider a change by absolute majority to the current policy on gratuity payments to long term staff, along with the consideration of a gratuity payment to the previous Works supervisor Mr Ian Dickson.

Background:

Council adopted Policy A6 "Gratuitous Payments to Employees" which was revised and adopted in May 2010. This concluded with the following two paragraphs,

PART POLICY

"In addition to the provision of a gratuity gift the Council, in recognition of the loyal service of long-serving employees may agree to the provision of a gratuity payment.

Such a gratuity payment is restricted to a maximum payment of \$10,000 and will only be considered where a departing employee has served a continuous period of 20 years or greater."

Comment:

The policy restricts any gratuity payment unless the employee has served 20 years or over. By deleting the last portion of the sentence of the policy which states *"and will only be considered where a departing employee has served a continuous period of 20 years or greater"*, would allow greater flexibility for Council to consider long term employees whom have not completed 20 years or more.

In the instance where Mr Ian Dickson (Works Supervisor) worked over 10 years and in that time accumulated over \$18,000 in unpaid sick leave, Council would have the flexibility to award some sort of gratuity payment for his dedicated service to the Shire of Ravensthorpe.

Consultation:

At this point verbal discussion has been undertaken informally by the Chief Executive Officer and Councillors.

Statutory Obligations:

Nil.

Policy Implications:

Council approval required by absolute majority to change a policy and award any gratuity payments.

Budget / Financial Implications:

Any gratuity payment up to \$10,000 could be covered by budgeted salaries and wages due to less staff numbers that originally budgeted.

Strategic Implications:

Nil.

Sustainability Implications:

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

Voting Requirements:

Absolute majority.

COUNCIL DECISION & OFFICER RECOMMENDATION (1) ITEM 10.4.13 (1)

MOVED: CR LANSDOWN

SECONDED: CR TILBROOK

That Council approve the change to policy A6, Gratuitous Payments to Employees by deleting the reference where it states that “a payment will only be considered where a departing employee has served a continuous period of 20 years or greater”.

CARRIED BY ABSOLUTE MAJORITY 7/0

Res: 584/10

COUNCIL DECISION & OFFICER RECOMMENDATION (2) ITEM 10.4.13 (2)

MOVED: CR LANSDOWN

SECONDED: CR TILBROOK

That a gratuity payment of \$5,000 from unclaimed sick leave, be made to Mr Ian Dickinson in recognition of his service to the Shire of Ravensthorpe.

CARRIED BY ABSOLUTE MAJORITY 7/0

Res: 585/10

10.4.14 TOURISM STRATEGY – GOVERNANCE MODEL

File Ref:	5359.5
Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	14 th December 2010
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	None

Summary:

Responding to a request from Council, the Ravensthorpe Hopetoun Area Promotion Committee has submitted comments on the structure of a new tourism management organisation.

This report recommends a structure to be adopted.

Background:

Following the release of the Shire of Ravensthorpe Tourism Strategy Council addressed the issue of a Tourism Governance Structure for the Shire and in this regard, on the 16th September 2010, resolved as follows:

- (1) *That RHAPS be invited to participate in the process to determine a tourism governance model for the Shire of Ravensthorpe.*
- (2) *That the tourism governance structure not be a committee of Council.*
- (3) *That Council be represented on the new Tourism Governance body by the Shire President, the Chief Executive Officer and Cr Lansdown.*

RHAPS has responded to Council's invitation and submitted the following:

"We wish to inform you of the decisions made at the recent RHAPS meeting:

- 1. A vote was taken and it was unanimously supported to create a governance model for tourism as outlined in the Shire letter dated 21st September 2010; to be supported with 3 reps from the Shire and..*
- 2. Five representatives from RHAPS, for this initial transition phase: these reps will be Carole Rainsford, Jenny Bidduoph, Christine Rennie (treasurer), Pat Chadwick, Andrew or Nina Venning (leaving it open to them to supply one representative) then as the Tourism Officer comes on board and is familiarised to the position if Jenny and or Christine wishes to step down later on next year, Jamie Steel (Toun Beach Café) has nominated to step into that role.*
- 3. Advertising for the new tourism officer whilst seen as urgent, was decided to be best finalised and advertised early in 2011.*
- 4. In the interim a clear brief of the job description, accountability, and work structure to be developed.*

We also discussed a name to reflect the new role and although this was generally supported a vote was not taken.

We suggest a meeting in the 3rd or 4th week of January for the Governance Body to proceed."

Comment:

Council should now adopt the new governance structure and support the new body in the preparation of a constitution and the employment of a Tourism Officer. It will be up to the new organisation to determine meeting dates and other administrative Issues.

Consultation:

Undertaken with RHAPS.

Statutory Obligations:

Nil.

Policy Implications:

Nil.

Budget / Financial Implications:

Assistance with the development of the constitution – approximately \$300.

Strategic Implications:

The Shire of Ravensthorpe Strategic Plan/Plan for the Future, Actions 107, 108 and 116 refer to the preparation of a tourism development strategy.

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 & OFFICER RECOMMENDATION	ITEM 10.4.14
MOVED: CR FIELD	SECONDED: CR DUNLOP
That Council support the establishment of a new Tourism Governance Committee Structure, consisting of eight members, five nominated by RHAPS and three appointed by Council.	
CARRIED 7/0	Res: 586/10

10.4.15 SHIRE OF RAVENSTHORPE FORWARD CAPITAL WORKS PLAN

File Ref:	
Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	14 th December 2010
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Yes – Draft Plan

Summary:

In accordance with the requirements of the Department of Regional Development and Lands, a draft Forward Capital Works Plan for the period 2010 to 2015 has been prepared.

This report recommends the Plan be adopted.

Background:

The need for country local governments to prepare Forward Capital Works Plans was identified through the Royalties for Regions funding program.

The provision of adequate Forward Capital Works Plans is a new prerequisite for the accessing of Council's allocation from the Royalties for Regions Country Local Government Fund.

Comment:

The primary document used in preparing the 5 year Forward Capital Works Plan is the Shire of Ravensthorpe Strategic Plan/Plan for the Future. In accordance with the Department's guidelines the Forward Capital Works Plan has to comply with the following:

- Infrastructure items only, not plant and equipment;
- infrastructure that is owned by Council; (if not, reasons should be provided for Council wishing to spend funds on assets which it does not own);
- expenditure for 5 years, commencing in 2010/11;
- Council approval of the FCWP; and
- information on capital works expenditure by Council in 2009/10.

The FCWP contains an opening statement on what the plan covers and confirms Council approval for it with a signature by the Shire President and Chief Executive Officer. It should include a commitment to review the plan each year.

The Forward Capital Works Plan contains a summary of the classifications and the risk assessment matrix used in the report. It also includes summary tables such as an overview of the Forward Capital Works Plan, the sub-project priorities for 2010/11 and an identification of any projects with funding gaps. It includes individual summary reports, which include the description, purpose, linkage to the Shire's Strategic Plan, life cycle cost analysis and funding risk assessments for each sub-project.

Consultation:

Capital Works items have been identified in consultation with Councillors, in the preparation of the Shire of Ravensthorpe Strategic Plan/Plan for the Future and with ratepayers and residents through public meetings and questionnaires.

Statutory Obligations:

Prerequisite for accessing funding from the CLGF.

Policy Implications:

Nil.

Budget / Financial Implications:

State Government provided \$35,000 for the preparation of the Plan. Consultant Jame Leighton Davies was appointed to develop the Plan in conjunction with the Chief Executive Officer. The consultants fee was \$24,000, the balance of \$11,000 offset portion of the CEO's time and attendance at meetings with the consultant.

Strategic Implications:

The Plan is based on the Shire of Ravensthorpe Strategic Plan/Plan for the Future.

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 & OFFICER RECOMMENDATION	ITEM 10.4.15
MOVED: CR LANSDOWN	SECONDED: CR DUNLOP
That the Shire of Ravensthorpe Forward Capital Works Plan 2010-2015, identified as attachment 10.4.15, be adopted.	
CARRIED 7/0	Res: 587/10

10.4.16 RAVENSTHORPE STREET LIGHTING

File Ref:	
Applicant:	Not applicable
Location:	Ravensthorpe Townsite – Morgan Street
Disclosure of Officer Interest:	None
Date:	14 th December 2010
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	None

Summary:

To consider funding a street lighting plan for Morgan Street, Ravensthorpe.

Background:

For a number of years street lighting in Morgan Street has been inadequate, both in reliability and design.

Western Power accepts no responsibility nor does it offer advice on the improvement options.

In an effort to improve the situation the Chief Executive Officer has approached a lighting consultant to prepare a lighting plan, with costings, so that consideration can be given to funding the associated capital works from future Royalties for Regions allocations.

Comment:

CNF and Associates have been approached and are prepared to assist, at a cost of \$6,000.

The works would involve –

1. Lighting design check for existing light fitting locations;
2. Compliant lighting design using software for standard Western Power light fitting i.e Sylvania Suburban fitting;
3. Compliant lighting design using software for optional LED long life light fitting i.e. Lightsense Kingsun fitting; and
4. Preparation of MS WORD report outlining any issues with current installation and upgrade options as per items 2 and 3.

The report would outline the new lighting configuration, quantify the light fittings supply costs for each option and list other works necessary for an Australian Standard compliant solution.

The Shire of Ravensthorpe would need to provide detailed information for the existing configuration including –

- Light fitting type and lamp Wattage details,
- Light spacings and heights,
- Support arm lengths,
- Road widths, and
- Light pole setback distance from edge of the road.

The works should be completed within 1-2 weeks depending on receipt of information from lighting suppliers.

Timing and funding options available to Council are –

- authorise \$6,000 unbudgeted expenditure to obtain a design and cost of works and consider funding the installation once the cost is known;
- defer any action at this stage and consider allocating \$6,000 in the 2011/2012 budget for the design work.

Consultation:

The inadequacy of the street lighting has been raised many times by the community, at public meetings and via the Ravensthorpe Ratepayers and Residents Association.

Statutory Obligations:

Nil.

Policy Implications:

Nil.

Budget / Financial Implications:

There are no funds included in the current budget for this purpose.

Strategic Implications:

Nil.

Sustainability Implications:

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

Voting Requirements:

Absolute majority to authorise unbudgeted expenditure.

COUNCIL DECISION & OFFICER RECOMMENDATION	ITEM 10.4.16
MOVED: CR LANSDOWN	SECONDED: TOWNSEND
That unbudgeted expenditure of \$6,000 be authorised for the purpose of engaging a lighting consultant to prepare a street light plan and costings for Morgan Street, Ravensthorpe, from Queen Street to the Ravensthorpe-Hopetoun Road.	
CARRIED BY ABSOLUTE MAJORITY 7/0	Res: 588/10

10.4.17 2010 DRY SEASON ASSISTANCE SCHEME**File Ref:****Applicant:** Not applicable**Location:** Shire of Ravensthorpe**Disclosure of Officer Interest:** None**Date:** 14th December 2010**Author:** Pascoe Durtanovich – Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:** Yes – Grant Conditions**Summary:**

The State Government has made \$20,000 available under the Dry Season Assistance Scheme. Council is requested to direct administration on the acceptance and use of the grant funds.

Background:

The State Government is making the community service grants available to 100 local governments, including Ravensthorpe, in the affected areas. Those that apply will be granted up to \$20,000, to be spent on community events held by 30th November 2011. The events are of Council's choice, provided they foster community spirit and welfare and involve community groups.

Comment:

Administration is not aware of the extent of the drought in the Shire of Ravensthorpe, however before the grant is accepted it should be determined whether it is warranted under current conditions or are there other areas in the State with a higher priority.

An option for council is to accept the funds and defer expenditure until June/ July next year, at that time the extent of the drought may be clearer.

Consultation:

None at this point.

Statutory Obligations:

If the grant is accepted, in accordance with the Conditions of Grant.

Policy Implications:

Nil.

Budget / Financial Implications:

Nil.

Strategic Implications:

Nil.

Sustainability Implications:

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

Voting Requirements:

Simple majority.

COUNCIL DECISION & OFFICER RECOMMENDATION	ITEM 10.4.17
MOVED: CR TILBROOK	SECONDED: CR TOWNEND
That the grant of up to \$20,000 made available to the Shire of Ravensthorpe under the 2010 Dry Season Assistance Scheme be accepted.	
CARRIED 7/0	Res: 589/10

10.4.18 LOT 223, 41 SPENCE STREET – SHIRE OF RAVENSTHORPE AND DEPARTMENT OF HOUSING
File Ref:

Applicant:	Department of Housing
Location:	Lot 223 Spence Street
Disclosure of Officer Interest:	None
Date:	14 th December 2010
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Property transfer details

Summary:

The purpose of this report is to finalise the ownership of Lot 223, 41 Spence Street, Ravensthorpe.

Background:

It was reported to Council in February 2010, on the advice from the Department of Housing that Lot 223 Spence Street was owned by the Shire of Ravensthorpe. The house on the land was owned by the Department of Housing and the Department of Housing is considering the future of several sites in Ravensthorpe, including opportunities for redevelopment.

Where the land is owned by the Local authority and the buildings by the Department of Housing the Department usually negotiate the purchase of the land or the transfer of the property to the ownership of the land.

The Department of Housing asked if Council is interested in pursuing either option.

At that time Council resolved as follows:

- 1. The Department of Housing be advised that council does not wish to dispose of Lot 223 Spence Street, Ravensthorpe, but is prepared to purchase the buildings thereon subject to a satisfactory purchase price being determined.*
- 2. That the Chief Executive Officer be delegated authority to negotiate and accept a purchase price for the buildings on Lot 223, Spence Street, Ravensthorpe.*

Comment:

The Department of Housing has now advised that the land was sold to them by Council in 1983.

Whilst the land title is still in the name of the Shire of Ravensthorpe, documents supplied by the Department indicate that the transfer was agreed on.

Attached is —

- Deed of Transfer
- Contract Agreement
- Letter from Shire Clerk.

The documents have been executed but obviously the transfer on the title did not occur.

Accepting that the property is owned by the Department of Housing, the Department is still keen to dispose of the property and is offering Council first option.

Council has a number of older type staff houses and if Council was to look at increasing the stocks, more appropriate housing should be considered.

Consultation:

Not applicable.

Statutory Obligations:

Nil.

Policy Implications:

Nil.

Budget / Financial Implications:

Nil.

Strategic Implications:

Nil.

Sustainability Implications:

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

Voting Requirements:

Simple majority.

COUNCIL DECISION & OFFICER RECOMMENDATION	ITEM 10.4.18
MOVED: CR TILBROOK	SECONDED: CR DUNLOP
That the Department of Housing be advised that Council does not wish to purchase Lot 223, 41 Spence Street, Ravensthorpe.	
CARRIED 7/0	Res: 590/10

10.4.19 GOLDFIELDS ESPERANCE REGIONAL COLLABORATIVE GROUP**File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 14th December 2010**Author:** Pascoe Durtanovich – Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:** Yes – Draft Agreement**Summary:**

The Goldfields Esperance Voluntary Organisation of Councils has received approval from the Minister for Local Government to form a Regional Collaborative Group.

This report recommends that Council participate in the group and support the draft agreement.

Background:

The opportunity for Regional Collaborative Grouping arose from the Local Government reform process introduced by the State Government some twelve months ago.

Through the reform process local governments south of Kalgoorlie were included in Regional Transitional Groupings and local government to the north in Regional Collaborative Groupings.

Since the introduction of Regional Groupings the Minister has supported local governments, that were categorised in Regional Transitional Groups, to form Regional Collaborative Groups.

GVROC has considered this matter over a period of time and on the 2nd March 2010, resolved:

1. *The GVROC Council encourages all member Councils to support becoming a pilot project for regional collaboration with the understanding and recognition that the extent of collaboration, such as shared services and the like, may not necessarily extend across the entire GVROC due to local needs and circumstances.*
2. *The GVROC Council review no later than 31st August 2010 progress on the development of a model for regional collaboration, having regard to the requirements outlined in the Regional Collaborative Group Agreement prepared by the Department of Local Government.*
3. *The Executive Officer writes to both the Minister for Local Government and the Director General of the Department of Local Government advising them of the GVROC's position with respect to the establishment of a Regional Collaborative Grouping based around the current membership of the GVROC.*

At the Technical Officers Group meeting on Wednesday 3rd November 2010 the meeting received a presentation from Dr Chris Berry who confirmed that the Minister for Local Government had agreed to the GVROC's proposal to form a Regional Collaborative Grouping (RCG) based on the GVROC membership.

Dr Berry also advised that \$370,000 would be made available to the RCG once established to assist in undertaking the various work/plans required.

The Technical Officers Group resolved as follows:

1. *The Executive Officer review the Draft Agreement for the Goldfields Esperance Regional Collaborative Group provided by the Department of Local Government for consideration by the GVROC Council at its meeting on Friday 26th November 2010.*
2. *That the Executive Officer prepare a schedule of work required by GVROC Council in establishing a Regional Collaborative Grouping for consideration by the GVROC Council at its meeting on Friday 26th November 2010.*

On the 29th November 2010, GVROC resolved as follows:

1. *That the GVROC Council endorse the draft agreement of the Goldfields Esperance Regional Collaborative Group as presented subject to the following amendments:*

Clause 6.2 to read as follows:

"The contents of the Regional Business Plan may include but not limited to any of the services or activities described in Item 2 of the Schedule."

Item 2 (clause 6.2) to read as follows:

"The contents include but are not limited to the undermentioned:

- *corporate services, including records, financial assets and liabilities, information technology, insurance, rating, human resources, payroll and workforce;*
 - *strategic planning, including local laws, town planning, asset and financial planning;*
 - *environmental health, natural resource management, building and development approvals;*
 - *economic development, including tourism and events;*
 - *community planning, including libraries, recreation and services for aged care and children;*
 - *community engagement;*
 - *road infrastructure and transport;*
 - *waste management; and*
 - *infrastructure planning and asset management."*
2. *That the GVROC Council request each member Council to consider the draft agreement as amended and the matter be included on the agenda for the Special Meeting of the GVROC Council to be held on Monday 20th December 2010.*

Comment:

A copy of the draft agreement is attached, Council is urged to adopt same, with the above amendments.

Consultation:

Public consultation was undertaken as part of the Local Government reform process.

There has been no public consultation in respect to Ravensthorpe joining the GERCG as it is considered unnecessary.

Statutory Obligations:

Nil.

Policy Implications:

Nil.

Budget / Financial Implications:

There are no financial implications at this point. There is likely to be financial implications after the finalisation of a Regional Business Plan.

Strategic Implications:

The Shire of Ravensthorpe Strategic Plan/Plan for the Future – Action Plan No. 3-2, Action 2D page 57 refers.

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 & OFFICER RECOMMENDATION	ITEM 10.4.19
MOVED: CR FIELD	SECONDED: CR GOLDFINCH
That Council support and participate in the establishment of the Goldfields Esperance Regional Collaborative Group and endorse the draft agreement, identified as attachment 10.4.19.	
CARRIED 7/0	Res: 591/10

10.4.20 SHIRE OF RAVENSTHORPE BUSH FIRE LOCAL LAW 2010**File Ref:****Applicant:** Shire of Ravensthorpe**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 15th December 2010**Author:** Pascoe Durtanovich – Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:** Yes – Local Law**Summary:**

The purpose of this item is to allow the Council to resolve to make the Shire of Ravensthorpe Bush Fire Brigades Local Law 2010.

Background:

Council proposed by resolution at its meeting of 20th May 2010, to make the Shire of Ravensthorpe Bush Fire Brigades Local Law 2010 and to advertise it for public comment.

The proposed local law was advertised in the West Australian on Wednesday, 26th May 2010 and the 42 day public consultation period closed on 12th July 2010.

A copy of the local law was sent to the Minister for Police and Emergency Services and the Minister for Local Government for comment. The Minister responded on the 21st June 2010, advising that he has forwarded the proposed local law to FESA for comment, if necessary, direct to Council.

The Department for Local Government provided comment on the 5th August 2010, on behalf of the Minister.

FESA provided comment on the 9th July 2010.

There were no public submissions received on the local law.

The comments provided by the Department of Local Government related to the set out and suggestions on incorporating the new drafting style being used by Parliamentary Council when drafting State legislation.

The Department's comments did not alter the adopted proposed local law to the extent that the local law presenting for making could be considered significantly different from what was proposed.

FESA provided the following comment:

Under Part 2 – Establishment of Bush Fire Brigades

Within section 4.1, and 4.2 it may be considered appropriate to reference the following:

- A grievance and dispute process;
- equal opportunity principles, including harassment and bullying compliance;
- criminal history checks;
- code of conduct.

At the meeting on the 19th August 2010, Council resolved as follows:

That this item be deferred to the September 2010 meeting of council pending clarification on FESA's submission.

Comment:

The proposed Bush Fire Brigades Local Law 2010 is based on the model local law developed by WALGA.

The comments made by FESA are confusing in respect to numbering, irrespective, it is unnecessary to include references as suggested as, in the main, separate legislation covers the issues raised.

Consultation:

Consultation has been undertaken by providing a 42 day submission period. No submissions were received.

Statutory Obligations:

As it is proposed to adopt a local law, the following processes, as set out in section 3.12 of the Local Government Act 1995, must be observed –

1. At a Council meeting the person presiding is to give notice of the purpose and effect of the proposed local law by ensuring that:-

- (a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and
- (b) the minutes of the meeting of the Council include the purpose and effect of the proposed local law.

2. A local government is to –

- (a) give Statewide public notice stating that –
 - (i) the local government proposes to make a local law, the purpose and effect of which is summarised in the notice;
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to a local government before a date to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
- (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice is to be forwarded to the relevant Minister;
- (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

After the last day for submissions, the local government is to consider any submissions made and may make the local law as proposed or make a local law that is not significantly different from what was proposed.

The local law is then published in the Government Gazette, advertised and a copy sent to the relevant Minister and the State Parliament Joint Standing Committee on Delegated Legislation.

The local law comes into effect 14 days after publication in the Government Gazette.

Policy Implications:

Nil.

Budget / Financial Implications:

The proposed local law needs to be advertised in a newspaper circulating throughout the State and once made by Council is required to be advertised in the Government Gazette.

Strategic Implications:

Nil.

Sustainability Implications:

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

Voting Requirements:

Absolute majority.

COUNCIL DECISION & OFFICER RECOMMENDATION	ITEM 10.4.20
MOVED: CR DUNLOP	SECONDED: CR NORMAN
That Council makes the Shire of Ravensthorpe Bush Fire Local Law 2010, identified as attachment 10.4.20.	
CARRIED BY ABSOLUTE MAJORITY 7/0	Res: 592/10

10.4.21 TENDER No.3/2010 – DEMOLITION AND REMOVAL OF MUNGLINUP HALL AND CHANGEROOMS
--

File Ref:	Tender Register
Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	16 th December 2010
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	None

Summary:

Following calling of tenders for the demolition and removal of the hall and changerooms in Munglinup 5 were received.

This report recommends the tender from Aska Demo be accepted.

Background:

Council resolved to call tenders at the meeting on the 22nd April 2010.

Tenders were advertised in the West Australian on the 2nd December 2010 and the Esperance Express on the 1st December 2010.

Comment:

At the conclusion of the advertising period the following tenders were received:

- | | | |
|-------------------------------|----------|----------------|
| 1. Aska Demo | \$33,000 | GST included |
| 2. Road Contractors Pty Ltd | \$82,500 | GST included |
| 3. Allison's House Relocators | \$48,000 | GST not stated |

- | | | | |
|----|--------------|----------|---------------------|
| 4. | Bruce McCall | \$51,100 | GST not stated |
| 5. | Brajovich | \$98,000 | Plus GST (rejected) |

Tender 5 was received by email therefore rejected.

Consultation:

Not applicable.

Statutory Obligations:

Local Government Act 1995 and Local Government (Tender) Regulations.

Policy Implications:

Nil.

Budget / Financial Implications:

Budget / Financial Implications:
Funds have not been budgeted for this project.

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:

Voting Requirements:
Absolute majority for unbudgeted expenditure.

COUNCIL DECISION & OFFICER RECOMMENDATION	ITEM 10.4.21
<p>MOVED: CR LANSDOWN</p> <p>That the tender of \$ 33,000 GST inc. from Aska Demo for the demolition and removal of the building situated on Reserve 29342 Munglinup and the old changeroom buildings on Reserve 30248 Munglinup, be accepted and unbudgeted expenditure of \$ 33,000 GST inc. be authorised for this purpose.</p>	<p>SECONDED: CR FIELD</p>
CARRIED BY ABSOLUTE MAJORITY 7/0	Res: 593/10

10.4.22 TENDER No. 2/2010 – DEMOLITION AND REMOVAL OF RAVENSTHORPE KINDERGARTEN BUILDING

File Ref:	Tender Register
Applicant:	Not applicable
Location:	Daw Street, Ravensthorpe
Disclosure of Officer Interest:	None
Date:	16 th December 2010
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	None

Summary:

Following calling of tenders for the demolition and removal of the Kindergarten building in Daw Street, 4 tenders were received.

This report recommends the tender from Bruce McCall be accepted.

Background:

At the meeting on the 24th June 2010, Council resolved as follows:

- 1) *The building on Reserve 29730, Daw Street be demolished and \$25,000 be included in the 2010/2011 budget for this purpose.*
- 2) *The Playgroup Committee be requested to use the building made available by the Education Department as an interim Playgroup centre.*
- 3) *The need for a new Playgroup facility be considered by Council following the provision of further information by the Playgroup Committee, on the present and future need for such a facility.*

Tenders were called on the 30th November 2010, in the West Australian newspaper and on the 1st December 2010, in the Esperance Express.

Comment:

At the conclusion of the advertising period the following tenders were received.

1. Bruce McCall	\$23,000	GST not stated
2. Road Contractors Pty Ltd	\$82,500	GST included
3. Aska Demo	\$33,000	GST included
4. Brajkovich	\$68,000	GST exc (rejected)

Tender 4 received by email therefore rejected.

Consultation:

N/A

Statutory Obligations:

Local Government Act 1995 and Local Government (Tender) Regulations.

Policy Implications:

Nil.

Budget / Financial Implications:

\$25,000 is included in the current budget for this purpose.

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 & OFFICER RECOMMENDATION	ITEM 10.4.22
MOVED: CR FIELD	SECONDED: CR NORMAN
That the tender of \$ 23,000 from Bruce McCall for the demolition and removal of the building situated on Reserve 29730 Daw Street, be accepted.	
CARRIED 7/0	Res: 594/10

10.4.23 DOMESTIC WASTE PICKUP – CONTRACTOR

File Ref:	
Applicant:	Not applicable
Location:	Munglinup, Hopetoun and Ravensthorpe Townsites
Disclosure of Officer Interest:	None
Date:	16 th December 2010
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	None

Summary:

Council approval is requested for the engagement of a private contractor to provide a domestic waste pickup service for the towns of Munglinup, Hopetoun and Ravensthorpe.

Background:

Currently Council provides kerbside domestic and commercial waste pickup services with a rear loading unit, which is a two man operation. This unit is also used to service both the Galaxy and First Quantum mines. The operation is not cost effective and impacts on the ability of Council's workforce to productively carryout other tasks. The issue is further compounded by the inability to recruit appropriate personnel following the resignation of one of the operators.

Having a contractor provide the domestic pickup, using a one man unit with an automatic 240 litre bin lift arm will make the process more efficient and will free up Council plant and staff to service the increasing commercial pickup, particular at the mines.

Comment:

The arrangement proposed is an interim solution for the remaining six months of the financial year. Further consideration can be given to the matter through the 2011/12 budget process and in light of the Regional Waste Management project.

The cost of a contractor provided service is in the vicinity of \$30,000 to \$36,000 for the period six months to 30th June 2011, depending on the number of services, which is increasing as the First Quantum houses in Hopetoun are occupied.

This cost will be partly offset by not employing a replacement operator – approximately \$20,000.

It is requested that the Chief Executive Officer be delegated authority to engage a contractor and unbudgeted expenditure be authorised for the service.

Consultation:

Not applicable.

Statutory Obligations:

Not applicable.

Policy Implications:

Nil.

Budget / Financial Implications:

Unbudgeted expenditure of up to \$30,000.

Strategic Implications:

Nil.

Sustainability Implications:

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

Voting Requirements:

Absolute majority.

COUNCIL DECISION & OFFICER RECOMMENDATION	ITEM 10.4.23
MOVED: CR LANSDOWN	SECONDED: CR DUNLOP
(1) That the Chief Executive Officer be delegated authority to engage a private contractor to provide a domestic kerbside waste collection service for Munglinup, Hopetoun and Ravensthorpe for the period concluding 30 th June 2011.	
(2) That unbudgeted net expenditure of up to \$30,000 be authorised for this purpose.	
CARRIED BY ABSOLUTE MAJORITY 5/2	Res: 595/10

10.4.24 SHIRE OF RAVENSTHORPE HEALTH LOCAL LAW 2010

File Ref:	
Applicant:	Shire of Ravensthorpe
Location:	Shire of Ravensthorpe Municipal District
Disclosure of Officer Interest:	None
Date:	16 th December 2010
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Yes – Local Law

Summary:

The purpose of this item is to allow the Council to resolve to make the Shire of Ravensthorpe Health Local Law 2010.

Background:

Council proposed by resolution at its meeting of 19th July 2010, to make the Shire of Ravensthorpe Health Local Law 2010 and to advertise it for public comment.

The proposed local law was advertised in the West Australian on 28th July 2010 and the 42 day public consultation period closed on 13th September 2010.

A copy of the local law was sent to the Minister for Environment and the Minister for Local Government for comment.

The Minister for Environment responded via the Department highlighting some drafting issues. The draft Local Law has been amended accordingly.

There were no public submissions received on the local law.

Comment:

The proposed Health Local Law 2010 is based on the model local law developed by WA Health Department. The local law has been reviewed to incorporate legislative changes made by the Health Department to the model local law, ensure compliance with current terminology and the findings of the Joint Standing Committee on Delegated Legislation.

Consultation:

Consultation has been undertaken by providing a 42 day submission period and the consideration of submissions received.

Statutory Obligations:

Section 342(1) of the Health Act 1911 states that –

Every local government –

(a) may, if the Executive Director, Public Health consents;

and

(b) shall, if the Commissioner or the Executive Director, Public Health so directs, make local laws in accordance with subdivision 2 of Division 2 of Part 3 of the Local Government Act 1995 for the purposes specified in this Act or generally for carrying into effect the provisions of this Act.

As it is proposed to adopt a local law, the following processes, as set out in section 3.12 of the Local Government Act 1995, must be observed –

1. At a Council meeting the person presiding is to give notice of the purpose and effect of the proposed local law by ensuring that:-

- a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and
- b) the minutes of the meeting of the Council include the purpose and effect of the proposed local law.

2. A local government is to –

a) give Statewide public notice stating that –

- (i) the local government proposes to make a local law, the purpose and effect of which is summarised in the notice;
- (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and

- (iii) submissions about the proposed local law may be made to a local government before a date to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
- b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice is to be forwarded to the relevant Minister;
- c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

After the last day for submissions, the local government is to consider any submissions made and may make the local law as proposed or make a local law that is not significantly different from what was proposed.

The local law is then sent to the Chief Officer of Public Health for approval, published in the Government Gazette, advertised and a copy sent to the relevant Minister and the State Parliament Joint Standing Committee on Delegated Legislation.

Health local laws come into effect on the date of publication in the Government Gazette.

Policy Implications:

Nil.

Budget / Financial Implications:

Advertising costs – the Local Law has to be advertised in a newspaper circulating throughout the State and in the Government Gazette.

Strategic Implications:

Nil.

Sustainability Implications:

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

Voting Requirements:

Absolute majority.

COUNCIL DECISION & OFFICER RECOMMENDATION	ITEM 10.4.24
MOVED: CR TILBROOK	SECONDED: CR FIELD
That Council makes the Shire of Ravensthorpe Health Local Law 2010, identified as attachment 10.4.24.	
CARRIED BY ABSOLUTE MAJORITY 7/0	Res: 596/10

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

Nil.

12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

12.1 ELECTED MEMBERS

12.2 OFFICERS

COUNCIL DECISION	ITEM 12.2.1
MOVED: CR LANSDOWN	SECONDED: CR TILBROOK
That Item 12.2.1 be dealt with at this meeting given that a meeting will not be held in January 2011.	
CARRIED 7/0	Res: 597/10

12.2.1 EXPLORATION ACTIVITIES MIDDLE ROAD AND TAMARINE ROAD

File Ref:	14.7.5
Applicant:	Tectonic Resources NL
Location:	Middle Road and Tamarine Road, Jerdacuttup
Disclosure of Officer Interest:	None
Date:	15 December 2010
Author:	Kobus Nieuwoudt – Manager of Planning & Development Services
Authorising Officer:	Not applicable
Attachments:	Correspondence and Plan

Cr Goldfinch declared a proximity interest in this item on the basis that he is the owner of 510 Tamarine Road.

6.10pm - Cr Goldfinch left the meeting and did not take part in discussion or vote on the matter.

Cr Dunlop took the Chair.

Summary:

Council has received correspondence from Tectonic Resources seeking Council's permission to commence exploration drilling at the western end of Middle Road and Tamarine Road in the Jerdacuttup area.

It is recommended Council advise Tectonic Resources that the proposal is supported.

Background:

Tectonic Resources have requested access to the Middle Road and Tamarine Road road reserves for the purposes of exploration drilling (see plan attached).

Tectonic Resources have indicated that they wish to drill 4 RAB holes in the western end of Middle Road and 6 holes on Tamarine Road. It is understood the

drilling is part of a first phase exploration program to establish prospectivity in the area. The proposed drilling would be done over a period of approximately 3 days during the first quarter of 2011.

It is furthermore understood that no earth movement or vegetation clearing will be required for this program.

If supported, Tectonic Resources would undertake to:

- Display signage on the road to indicate workers are working near the road;
- Drill holes individually positioned so as not to interfere with traffic flow;
- Minimise hazards to road users and Tectonic employees by removing bags off the road reserve for any holes drilled adjacent to the road on the day the hole was completed;
- Drill locations have been physically checked for appropriateness in terms of visibility and minimisation of disturbance to road users and native vegetation;
- Minimise road disturbance – no drilling during harvest period;
- Rehabilitate disturbed areas by way of removing all bags and rubbish generated from the program immediately upon finishing each hole. The drill holes collars will be rehabilitated and backfilled (no open holes left on site). Six months after drilling has occurred the hole collars will be rechecked to ensure the rehabilitation criteria have been met; and
- If groundwater is intersected, Tectonic Resources will provide field water quality data (pH, salinity) to the Shire and nearby landowners as the information may assist in the identification of future underground water resources.

Comment:

Nil.

Consultation:

Consultation was not considered necessary in relation to the recommendations of this report.

Statutory Obligations:

Nil.

Policy Implications:

Nil.

Budget / Financial Implications:

Nil.

Strategic Implications:

Nil.

Sustainability Implications:

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

Voting Requirements:

Simple majority

<p>COUNCIL DECISION & OFFICER RECOMMENDATION</p> <p>MOVED: CR LANSDOWN SECONDED: CR FIELD</p> <p>That Council grant consent to Tectonic Resources NL to commence exploration activities in the western end of Middle Road and Tamarine Road subject to any direct environmental impacts being minimised and mitigated to Council's satisfaction.</p> <p>CARRIED 6/0</p>	<p>ITEM 12.2.1</p> <p>Res: 598/10</p>
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6.11pm – Cr Goldfinch returned to the meeting and resumed the Chair.

13. MATTERS BEHIND CLOSED DOORS

Nil.

14. CLOSURE OF MEETING - 6.11pm

These minutes were confirmed at the meeting of the

Signed: _____

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

Date: _____