



## **MINUTES**

of the Council Meeting to be held on

Thursday 18 August, 2011  
commencing at 5 p.m.

in the Council Chambers, Ravensthorpe.

**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, RAVENSTHORPE**  
**ON 18 AUGUST, 2011 COMMENCING AT 5PM**

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<b>CONTENTS</b>	<b>PAGE NO</b>
1 DECLARATION OF OPENING /ANNOUNCEMENTS OF VISITORS	3
2 RECORD OF ATTENDANCE	3
3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	3
4 PUBLIC QUESTION TIME	3
5 APPLICATIONS, FOR AND PREVIOUSLY APPROVED LEAVE OF ABSENCE AND DISCLOSURES OF INTEREST	3
6 PETITIONS/DEPUTATIONS/ PRESENTATIONS	3
7 CONFIRMATION OF MINUTES	3
7.1 COUNCIL MEETING 21 JULY 2011	4
8 SUSPENSION OF STANDING ORDERS	4
9 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSIONS	4
10 REPORTS OF OFFICERS	4
<b>10.1 MANAGER OF FINANCE &amp; ADMINISTRATION Nil</b>	4
10.1.1 FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31 JULY 2011	4
10.1.2 ACCOUNTS FOR PAYMENT – MONTH ENDING 31 JULY 2011	5
<b>10.2 MANAGER OF PLANNING &amp; DEVELOPMENT</b>	7
10.2.1 DRAFT LOCAL PLANNING POLICY 20 – ALFRESCO DINING & TRADING IN PUBLIC PLACES – FINAL ADOPTION	7
<b>10.3 MANAGER OF ENGINEERING SERVICES</b>	8
<b>10.4 CHIEF EXECUTIVE OFFICER</b>	9
10.4.1 RAVENSTHORPE GOLF BOWLING CLUB ELECTRICITY SUPPLY UPGRADE	9
10.4.2 ERECTION OF ANEMOMETER IN RESERVE 7380	11
10.4.3 VARIANCE TO EXPENDITURE OF INCENTIVE GRANT	12
10.4.4 PROPOSED DEVELOPMENT OF 3 AGED PERSONS ACCOMMODATION UNITS, 27 DUNN ST, RAVENSTHORPE	14
10.4.5 REQUEST FOR CLOSURE OF PORTION OF FLOATER ROAD	17
10.4.6 DIVIDING FENCE – RAVENSTHORPE AIRPORT LAND	19
10.4.7 CLAY TARGET CLUB LEASE – PT LOC 759 HOPETOUN/RAVENSTHORPE ROAD	20
11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	24
12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	24
12.1 ELECTED MEMBERS	24
12.2 OFFICERS	24
12.2.1 DEPARTMENT OF SPORT AND RECREATION CSRFF SMALL GRANTS ROUND	24
13 MATTERS BEHIND CLOSED DOORS	27
14 CLOSURE OF MEETING	27

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

5pm - Presiding Person, Cr Keith Dunlop, declared the meeting open.

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

MEMBERS: Cr Keith Dunlop (Acting President)  
 Cr Don Lansdown  
 Cr Brenda Tilbrook  
 Cr Jan Field  
 Cr Julianne Townsend

STAFF: Pascoe Durtanovich (Chief Executive Officer)  
 Brent Bailey (Deputy Chief Executive Officer)  
 Evelyn Arnold (Manager Finance and Administration)  
 Jenny Rutter (Executive Assistant)

APOLOGIES: Brent Bailey

ON LEAVE OF ABSENCE:

Cr Ian Goldfinch  
 Cr Ken Norman

ABSENT:

VISITORS:

**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**

Cr Jan Field	Financial	10.4.1
Cr Julianne Townsend	Financial	10.4.5
Cr Julianne Townsend	Financial	10.4.6
Cr Julianne Townsend	Financial	10.4.7

**6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS**

Nil

**7. CONFIRMATION OF MINUTES**

**7.1 COUNCIL MEETING – 15 August, 2011**

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 7.1
Moved: Cr Tilbrook	Seconded: Cr Field
That the minutes of the meeting of Council held on the 15 August, 2011 be confirmed as a true and correct record of proceedings.	
Carried: 5 /0	Res: 176/11

**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 PERIOD ENDING 31<sup>st</sup> JULY 2011**

**File Ref:**

**Applicant:** Not applicable

**Location:** Not applicable

**Disclosure of Officer Interest:** None

**Date:** 9<sup>th</sup> August, 2011

**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 period ending 31<sup>st</sup> July 2011.

**Background:**

Nil

**Comment:**

Nil

**Consultation:**

Not Applicable

**Statutory Obligations:**

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

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

**Policy Implications:**

There are no policy implications.

**Budget / Financial Implications:**

Details as per attached reports.

**Strategic Implications:**

Nil

**Sustainability Implications:**

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

**Voting Requirements:**

Simple majority.

COUNCIL DECISION AND OFFICER RECOMMENDATION		ITEM 10.1.1
Moved: Cr Tilbrook		Seconded: Cr Townsend
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 <sup>st</sup> July 2011 be accepted.		
Carried: 5/0		Res: 178/11

**10.1.2 ACCOUNTS FOR PAYMENT – MONTH ENDING 31<sup>st</sup> JULY 2011**

<b>File Ref:</b>	
<b>Applicant:</b>	Not applicable
<b>Location:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	9 <sup>th</sup> August, 2011
<b>Author:</b>	Evelyn Arnold – Manager Finance & Administration
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	Yes – List of Accounts

**Summary:**

The lists of accounts paid during the months ending 31<sup>st</sup> July 2011 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 AND OFFICER RECOMMENDATION      ITEM 10.1.2

Moved: Cr Field

Seconded: Cr Tilbrook

That pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996, the payment of accounts for the month of July 2011, be noted.

Carried: 5/0

Res: 179/11

## 10.2 Manager of Planning and Development

### 10.2.1 DRAFT LOCAL PLANNING POLICY 20 – ALFRESCO DINING & TRADING IN PUBLIC PLACES – FINAL ADOPTION

**File Ref:**

<b>Applicant:</b>	Not applicable
<b>Location:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	10 August 2011
<b>Author:</b>	Craig Pursey, Planning Officer
<b>Authorising Officer:</b>	P Durtanovich (Chief Executive Officer)
<b>Attachments:</b>	Yes – Draft Local Planning Policy No 20

**Summary:**

Council is to consider final adoption of (Draft) Local Planning Policy No 20 – ‘Alfresco Dining & Trading in Public Places’, with or without modifications.

The Policy has been advertised and no submissions were received.

Support for the Local Planning Policy is recommended.

**Background:**

Council adopted Draft Local Planning Policy No 20 – ‘Alfresco Dining & Trading in Public Places’ for the purpose of initiating public consultation in June 2011 (refer Item 10.2.3 – 23 June 2011). At this meeting Council resolved as follows:

*“That in accordance with Clause 2.4.1 of Town Planning Scheme No.5 adopts draft Local Planning Scheme Policy ‘Alfresco Dining and Trading in Public Places’ and:*

- 1) Advertise the draft in the local newspaper for a period of 21 days for public inspection and comment; and*
- 2) Refer the draft policy to the owners of existing restaurants/cafes within the Shire for comment.”*

**Comment:**

The purpose of the Policy is to establish the requirements for alfresco dining and trading in public places within the Shire.

The intention of the Policy is to ensure that approval of these activities will enhance the existing commercial functions and activities available within the town centre areas.

The Policy contains criteria to be used in the assessment and setting of any conditions of approval and has been based on similar policies used by other rural Local Governments.

**Consultation:**

The Policy has been advertised in accordance with Clause 2.4.1 of the Shire of Ravensthorpe Local Planning Scheme No 5 (‘the Scheme’). It was also referred to owners of local restaurants for comment.

Advertising finished in July 2011 and no submissions were received.

**Statutory Obligations:**

Part 2 of the Scheme provides for the preparation of Local Planning Policies.

Clause 2.4.1 requires all Local Planning Policies to be advertised for a period of 21 days, and specifies methods available for advertising.

**Policy Implications:**

If adopted by Council the Policy will become an adopted Local Planning Policy under Town Planning Scheme No.5 and will apply to proposals for alfresco dining and trading in public places as set out in the Policy.

**Budget / Financial Implications:**

The cost of advertising and referral of the draft policy were met within the existing budget.

**Strategic Implications:**

The Policy will act as a tool to guide future development.

**Sustainability Implications:**

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

**Voting Requirements:**

Simple majority

COUNCIL DECISION AND OFFICER RECOMMENDATION		ITEM 10.2.1
Moved: Cr Lansdown	Seconded: Cr Townsend	
That Council		
1. Adopt Local Planning Policy No 20 – ‘Alfresco Dining & Trading In Public Places’ for final approval, pursuant to Clause 2.2 of the Shire of Ravensthorpe Town Planning Scheme No 5.		
2. Publish a public notice in an official newspaper circulating in the area to notify the public that Council has adopted Local Planning Policy No 20 in accordance with Clause 2.4.3 of the Shire of Ravensthorpe Town Planning Scheme No 5.		
Carried: 5/0	Res: 180/11	

**10.3 Manager of Engineering Services**

Nil.



**10.4 Chief Executive Officer****10.4.1 RAVENSTHORPE GOLF BOWLING CLUB ELECTRICITY SUPPLY UPGRADE****File Ref:****Applicant:** Not applicable**Location:** Portion Reserve 32874**Disclosure of Officer Interest:** None**Date:** 8 August 2011**Author:** Pascoe Durtanovich – Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:** None

*5.06pm - Prior to any consideration of Item 10.4.1 Cr Field declared a financial interest on the basis that she is part owner of a business that has been invited to quote on minor tree lopping associated with the project. Cr Field left the meeting and did not participate in discussions or vote on the matter.*

**Summary:**

A reduced quote has been received from Western Power for the upgrade of the power supply to the Ravensthorpe Golf Bowling Club.

This report recommends Council's contribution be amended accordingly.

**Background:**

Council budgeted a contribution of \$25,000 towards the upgrade of the powerline to the Ravensthorpe Golf Bowling Club premises, based on the initial quote from Western Power and Ravensthorpe Electrical of \$95,000.

Western Power has now submitted a firm and final quote of \$37,255. This quote is significantly lower, it also includes taking the new power line all the way to the Clubhouse thereby reducing Ravensthorpe Electrical's cost to connect to the Clubhouse.

Another development is that the Department of Sport and Recreation has advised the Club that the project does not qualify for funding under the CSRFF.

**Comment:**

The total cost is now \$47,255 plus the possibility of \$5,000 for tree lopping. The Ravensthorpe Hopetoun Future Fund has confirmed its contribution of \$33,833. The Club will contribute \$1,500, leaving \$17,000 for the Shire to fund.

Council is requested to reassess its contribution in light of the reduced overall cost of the project. Given the funding is not available from the Department of Sport and Recreation it is recommended that Council agree to contribute the balance of \$17,000.

**Consultation:**

Not applicable.

**Statutory Obligations:**

Nil.

**Policy Implications:**

Nil

**Budget / Financial Implications:**

The 2011/2012 budget includes an amount of \$25,000 for this purpose.

**Strategic Implications:**

Shire of Ravensthorpe Strategic Plan/Plan for the Future, Action Plan 6.5 Action 201 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.

OFFICER RECOMMENDATION	ITEM 10.4.1
<p>That in light of the reduced overall cost of upgrading the electricity supply to the Ravensthorpe Golf Bowling Club and the advice that the project does not qualify for Department of Sport and Recreation funding, Council contribute \$17,000 to the project.</p>	

COUNCIL DECISION	ITEM 10.4.1
Moved: Cr Tilbrook	Seconded: Cr Lansdown
<p>That in light of the reduced overall cost of upgrading the electricity supply to the Ravensthorpe Golf Bowling Club and the advice that the project does not qualify for Department of Sport and Recreation funding, Council contribute up to \$17,000 to the project.</p>	
Carried: 4/0	Res: 181/11

*The reason for the variation from the Officer Recommendation to include “up to” \$17,000 was because the final cost of tree lopping has not been determined.*

*5.07 – Cr Field returned to the meeting.*

**10.4.2 ERECTION OF ANEMOMETER IN RESERVE 7380**

<b>File Ref:</b>	Reserve 7380
<b>Applicant:</b>	Eden Traders
<b>Location:</b>	Reserve 7380 Moir Road, Ravensthorpe
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	8 August 2011
<b>Author:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	None

**Summary:**

An application has been received for the erection of a wind monitoring mast on Reserve 7380.

This report recommends the application be approved.

**Background:**

Nil.

**Comment:**

The application has been received from the Eden Traders. It is proposed to erect an 18m high anemometer in the south west corner of Reserve 7380 (Rubbish tip site.)

It is proposed that the facility will be in place for twelve months.

**Consultation:**

Not applicable.

**Statutory Obligations:**

Nil.

**Policy Implications:**

Nil

**Budget / Financial Implications:**

Nil.

**Strategic Implications:**

Nil.

**Sustainability Implications:**

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

**Voting Requirements:**

Simple majority.

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.2
Moved: Cr Tilbrook	Seconded: Cr Townsend
That approval be granted to the Eden Traders to erect an 18 metre high anemometer in the south west corner of Reserve 7380 for a period of twelve months.	
Carried: 5 /0	Res: 182/11

**10.4.3 VARIANCE TO EXPENDITURE OF INCENTIVE GRANT**

<b>File Ref:</b>	
<b>Applicant:</b>	Not applicable
<b>Location:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	3 August 2011
<b>Author:</b>	Angela Jess – Manager of Recreation Services
<b>Authorising Officer:</b>	Pascoe Durtanovich –Chief Executive Officer
<b>Attachments:</b>	None

**Summary:**

In June 2011, Council was asked to endorse the expenditure of grant money from the Office of Crime Prevention’s (OCP) \$20,000 New Initiative Grant based on recommended outcomes in the adopted Youth Activity Plan.

The Manager of Recreation requests **Resolution 138/11 (3) “Council support the expenditure of remaining grant monies, being \$17,400, on the part time employment of a Youth Project Officer to progress the strategies identified in the report” be rescinded** and that the varied expenditure be approved.

**Background:**

The expected outcome of the project was to employ a Youth Project Officer to consult with relevant stakeholders with the aim of developing a strategic action plan to address youth issues that could result in anti-social behaviour.

A Youth Activity Plan (YAP) was produced below the expected budget and it was resolved at the June 2011 meeting to allocate the remaining funds to the employment of a Youth Project Officer to progress the strategies identified in the report.

Due to acquittal requirements, the OCP is not in favour of this ongoing expenditure and has directed that the remaining funds be allocated to another identified project.

**Comment:**

A recommendation in the Shire of Ravensthorpe Youth Activity Plan is for the purchase of an outdoor movie screen that will allow movie nights for young people and families.

Along with the purchase of a trailer, the purchase of this outdoor/indoor cinema will allow the equipment to be mobile between communities, and can be used immediately as a valuable resource by the intended Youth Advisory Council.

The OCP is in favour of this purchase.

**Consultation**

Ian Westmore, Project Coordinator, Crime Prevention & Community Liaison Unit, WA Police

**Statutory Obligations**

Local Government (Administration) Regulations 1996

**10. Revoking or changing decisions made at council or committee meetings — s. 5.25(1)(e)**

- (1) *If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —*
- (a) *in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or*
- (b) *in any other case, by at least  $\frac{1}{3}$  of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.*
- (1a) *Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least  $\frac{1}{3}$  of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.*
- (2) *If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made —*
- (a) *in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or*
- (b) *in any other case, by an absolute majority.*
- (3) *This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.*

**Policy Implications**

Nil.

**Budget / Financial Implications**

The \$20,000 has already been received by the OCP.

**Strategic Implications**

- The Shire of Ravensthorpe Strategic Plan/Plan For The Future, Action Plan 7.5, Action C refers.
- Shire of Ravensthorpe Youth Activity Plan.

**Sustainability Implications:**

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

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

**Voting Requirements:**

In accordance with Regulation 10 Section (1a) - At least 1/3 of Councillors will be required to support a motion to vote on the rescinding Resolution 138/11 (3)

Cr Field, Cr Tilbrook and Cr Dunlop supported a motion to vote on rescinding the Resolution.

Absolute Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION (1)    ITEM 10.4.3	
Moved: Cr Tilbrook	Seconded: Cr Field
That resolution 138/11 (3) of the Ordinary Council Meeting held on the 23 June 2011, be rescinded.	
CARRIED BY ABSOLUTE MAJORITY: 4/1	Res: 183/11

COUNCIL DECISION AND OFFICER RECOMMENDATION (2)    ITEM 10.4.3	
Moved: Cr Tilbrook	Seconded: Cr Dunlop
That the remaining grant monies, being \$17,400 be reallocated to the purchase of an outdoor/indoor cinema and a trailer as per recommendations in the Shire of Ravensthorpe Youth Activity Plan.	
Carried: 3/2	Res: 184/11

**10.4.4 PROPOSED DEVELOPMENT OF 3 AGED PERSONS ACCOMMODATION UNITS, 27 DUNN ST, RAVENSTHORPE**

<b>File Ref:</b>	
<b>Applicant:</b>	Shire of Ravensthorpe
<b>Location:</b>	27 Dunn Street, Ravensthorpe
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	26 July 2011
<b>Author:</b>	Brent Bailey – Deputy Chief Executive Officer
<b>Authorising Officer:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Attachments:</b>	Business Plan – Aged Persons Accommodation

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**Summary:**

This agenda item seeks Council input into a proposed development of 3 Aged Persons Accommodation units at 27 Dunn Street Ravensthorpe. The recommendation is to adopt the preliminary business plan and commence the process to participate in a Joint Venture Housing Program with the Department of Housing.

**Background:**

In 2003 Council in partnership with the Department of Housing, through the Joint Venture Housing Program, constructed 3 Aged Persons Units on 25 Dunn Street Ravensthorpe. These units are fully tenanted and the Committee has a waiting list of two. There has also been indicative demand demonstrated from

members of the community who are likely to require the units within the next 5 years.

The Joint Venture Housing Program funds housing projects for non-profit and local government authorities to provide rental accommodation for people on low to moderate incomes. Under the program guidelines the Local Government and Department of Housing both provide resources and cash towards the total development cost. Generally the Local Government provides the land, landscaping, site works, headworks and any non-standard additions to the units. The Department of Housing will provide the remainder of the construction cost. A legal agreement is established to determine the relative equity each party holds in the asset on the basis of contributions provided to the project.

On completion of the project the Shire through a local community group would be responsible for the ongoing management of the units and collects rent from the tenants to meet operational costs. At the conclusion of the legal agreement (usually lasting 25 years) the asset can be bought out by one party, on-sold to the private market or a further term can be negotiated.

**Comment:**

There are a number of benefits associated with the Joint Venture Housing Program including:

1. providing opportunities for tenant involvement in the development and ongoing management of the housing stock,
2. the Shire retains responsibility for tenancy and property management,
3. providing choice and an alternative to public housing for people on low incomes,
4. tenants receive security of tenure, and access to affordable accommodation,
5. joint ventures bring other resources into the programs, reducing the overall cost and allowing capital to be freed up for other housing projects,
6. community housing programs give a wider choice of housing options for people on low incomes

In reviewing this project it is apparent that it will be important to ensure that design of the units is compatible with the lot and that sufficient earthworks are undertaken to ensure that there are no long term maintenance and structural issues. The neighbouring site required significant works to be undertaken to rectify structural issues associated with shifting foundations. In response to this it is recommended that transportable dwellings are investigated for use which are mounted on cement footings. Transportable dwellings are also more readily available and are likely to deliver cost efficiencies to the overall project.

Other matters that require consideration is the project budget as the contribution to the construction of aged persons units has not been included in the 2011/2012 budget or identified in the Shire of Ravensthorpe forward capital works plan. The preliminary project budget has used estimates based on a similar project in Pingelly and depicts a cash contribution of approximately \$75,000 from the Shire. This contribution can be factored into the 2012/2013 budget should the project be approved by the Department of Housing. In-kind provisions have also been factored in for project management and the provision of land.

Long term Council will need to consider the additional costs associated with the management of an additional three housing units. Allowing 2% of the estimated capital value of the residences (\$200,000) would require approximately \$4000 per unit in operational costs (insurance, maintenance, utilities etc). As the units are likely to return approximately \$75 per week average these costs are almost fully offset. Currently the existing aged units on the neighbouring lot are managed by a

community group whom receive the weekly rental and undertake the routine maintenance. This arrangement will need to be formalised should the parties seek to continue the service provision as is with the other three existing units.

**Consultation:**

The author has met with a group of community members likely to require aged accommodation within the next 5 years.

**Statutory Obligations:**

Nil

**Policy Implications:**

Nil.

**Budget / Financial Implications:**

This project will require short term funding in this financial year for preliminary planning costs should Council resolve to support the developments preparation. Longer term if the construction of the project is approved it will require a capital contribution from Council for landscaping, headworks, site works and utility services.

Ongoing operational costs have been discussed in the comments section above.

**Strategic Implications:**

The Shire of Ravensthorpe Strategic Plan has identified the development of Aged Persons facilities as a long-term goal of the organisation.

**Sustainability Implications:**

- **Environmental:**  
There are no known significant environmental considerations.
- **Economic:**  
This project will require a financial and in-kind contribution from Council. There will be economic benefits to local trades and supplies through the construction process. Financial costs including soil testing and design fees can be applied from the consultancy budget 1042220.
- **Social:**  
An increase in housing availability for aged persons on low incomes is likely to retain retirees within the Shire of Ravensthorpe whom provide a valuable contribution to the community.

**Voting Requirements:**

Simple majority.

COUNCIL DECISION AND OFFICER RECOMMENDATION	ITEM 10.4.4
Moved: Cr Tilbrook	Seconded: Cr Field
That:- Council receive the preliminary Joint Venture Housing Project business plan and authorise the Chief Executive Officer to:	
(1) Commence negotiations with the Department of Housing for the development of 3 units at 27 Dunn Street Ravensthorpe.	
(2) Obtain quotes for suitably designed residences in consultation with the community group and Department of Housing.	
(3) Undertake preliminary soil tests and site analysis; and	



(4) Finalise a project budget for Council's consideration.

Carried: 5/0

Res: 185/11

#### 10.4.5 REQUEST FOR CLOSURE OF PORTION OF FLOATER ROAD

**File Ref:**

**Applicant:**

Galaxy Resources Ltd

**Location:**

Floater Road, Ravensthorpe

**Disclosure of Officer Interest:**

None

**Date:**

10 August 2011

**Author:**

Pascoe Durtanovich – Chief Executive Officer

**Authorising Officer:**

Not applicable

**Attachments:**

Yes – Plan of proposal

*5.13pm - Prior to any consideration of Item 10.4.5 Cr Townsend declared a financial interest on the basis that she is an employee of Galaxy Resources. She also declared a financial interest in Item 10.4.6 on the basis that she is the lessee of the airport land adjoining Lot 650 and a financial interest in Item 10.4.7 on the basis that she is the lessee of the subject land. Cr Townsend left the meeting and did not participate in discussion or vote on the items.*

**Summary:**

Galaxy Resources has requested closure of portion of Floater Road to enable expansion of the company's mining operation.

This report recommends the proposal be advertised in accordance with statutory requirements.

**Background:**

Galaxy Resources has advised that the Mt Catlin pegmatite deposit they are currently mining extends across a section of Floater Road. By early 2013 it will be necessary to mine the portion of the ore body underneath Floater Road and Cattlin Creek as they progress eastwards.

During the mining of the eastern section of the deposit they propose to construct a by-pass road which will join with Old Newdegate Road and allow access to the northern portion of Floater Road. It will be necessary to divert traffic from Floater road onto Old Newdegate Road, then onto the mine site access road before turning onto the Lake King Road and South Coast Highway.

Galaxy would like this section of Floater Road to be closed from early 2013.

As can be seen on the attached plan, the proposal is to close 1.5km of Floater Road, leaving 1.4km from South Coast Highway open. Closure of a small section of the Old Newdegate Road is also involved.

**Comment:**

There are a number of issues that have to be considered if this proposal is to proceed.

- (1) The section of road access through the mine site will have to be dedicated as a public road.

- (2) Main Roads approval for access onto Newdegate/Ravensthorpe Road.
- (3) Reconstruction of the section of Old Newdegate Road to the same standard as the mine access road.
- (4) Appropriate bollarding of both ends of the closed section of Floater Road.
- (5) Detailed road design plans to be prepared by the proponent. Galaxy has indicated that they will engage consulting engineers to do this.

**Consultation:**

The proposal will be advertised for public comment.

**Statutory Obligations:**

The process for dedication of roads is in accordance with Section 56 of the Land Administration Act. The road closure is in accordance with Section 58.

The Minister for Lands will make the final decision on the road closure. Before a request is submitted to the Minister the road closure proposal must be advertised for public comment for a period of 35 days.

**Policy Implications:**

Nil.

**Budget / Financial Implications:**

Council does not have a Road Closure fee in its Fees and Charges Schedule. Facilitating the closure will involve considerable cost in advertising and officer time. Council should either seek to have the costs reimbursed by Galaxy Resources or have their Engineering Consultants undertake the process.

**Strategic Implications:**

Nil.

**Sustainability Implications:**

- **Environmental:**  
There are no known significant environmental considerations.
- **Economic/Social:**  
Closure of this section of Floater Road will extend the life of the mine and in turn will maintain local employment opportunities.

**Voting Requirements:**

Simple majority.

COUNCIL DECISION AND OFFICER RECOMMENDATION		ITEM 10.4.5
Moved: Cr Field		Seconded: Cr Tilbrook
That subject to Galaxy Resources Ltd confirming that they will reconstruct the section of the Old Newdegate Road to the same standard as the mine access road, including sealing and will reimburse the cost of the road closure and road dedication process, the proposal to close the section of Floater Road and portion of Old Newdegate Road, in accordance with the attached plan be advertised for public comment, in accordance with Section 58 of the Land Administration Act.		
Carried: 4/0		Res: 186/11

<b>10.4.6 DIVIDING FENCE – RAVENSTHORPE AIRPORT LAND</b>
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<b>File Ref:</b>	
<b>Applicant:</b>	Not applicable
<b>Location:</b>	Ravensthorpe Airport Lot 82
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	10 August 2011
<b>Author:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	None

**Summary:**

Council direction is required on contributing to the replacement of boundary fencing at the Ravensthorpe Airport.

**Background:**

The owner of Lot 650 is seeking a contribution from Council for the cost of renewing 3.25km of fencing adjoining the airport land. The subject airport land is currently leased.

Under the lease agreement the lessee is responsible for the maintenance of fencing. The relevant clause states:

*The Tenant must maintain all boundary and sub-divisional fencing in a livestock proof condition and all the improvements on the land in good order and condition (fair wear and tear excluded).*

**Comment:**

Whilst the lessee is, to a degree, responsible for boundary fencing the condition of this particular section of fencing is such that it would have been in a “replacement” condition prior to the lease being entered into in January 2010.

**Consultation:**

Not applicable.

**Statutory Obligations:**

The Dividing Fences Act applies. Being freehold land Council is liable to contribute 50% of the cost of a new fence, however the lease Council has takes precedence over the Act.

**Policy Implications:**

Nil.

**Budget / Financial Implications:**

The cost of 3.25km of a ringlock, star pickets fence, erected, is approximately \$6,000. Funds are available in the airport budget.

**Strategic Implications:**

Nil.

**Sustainability Implications:**

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

There are no known significant economic considerations.

- **Social:**

There are no known significant social considerations.

**Voting Requirements:**

Simple majority.

*The CEO advised Council that further costing of the fence was undertaken and the cost is approximately \$10,500 for the 3.25kms.*

<b>OFFICER RECOMMENDATION</b>	<b>ITEM 10.4.6</b>
That a contribution of \$3,000 be made for the renewal of 3.25km of boundary fencing at Lot 650 adjoining the Ravensthorpe Airport land, Lot 82.	

<b>COUNCIL DECISION</b>	<b>ITEM 10.4.6</b>
Moved: Cr Tilbrook	Seconded: Cr Field
That a contribution of \$5,250 be made for the renewal of 3.25km of boundary fencing at Lot 650 adjoining the Ravensthorpe Airport land, Lot 82.	
Carried: 4/0	Res: 187/11

*The reason for the change in contribution was because the CEO advised Councillors that the fence would cost more than was originally indicated.*

**10.4.7 CLAY TARGET CLUB LEASE – PART LOCATION 759 HOPETOUN/RAVENSTHORPE ROAD**

<b>File Ref:</b>	
<b>Applicant:</b>	Hopetoun Clay Target Club
<b>Location:</b>	Part Location 759 Hopetoun/Ravensthorpe Road
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	10 August 2011
<b>Author:</b>	Pascoe Durtanovich – Chief Executive Officer
<b>Authorising Officer:</b>	Not applicable
<b>Attachments:</b>	Yes – Plan of subject area

**Summary:**

Council is requested to determine a lease for the Hopetoun Clay Target Club.

**Background:**

In November 2008, Council received a proposal to develop a clay target shooting facility on Part Oldfield Location 759 Hopetoun/Ravensthorpe Road.

At the meeting on the 27 November 2008, Council resolved as follows:

*That Council grant planning approval to Hopetoun Clay Target Shooting Club for the construction of a clay target shooting facility at Oldfield Location 759 Hopetoun-Ravensthorpe Road, Hopetoun as outlined in the Application received 22 September 2008 (Application No. P08-64), and indicated on the approved plans, subject to the following conditions:*

*General Conditions:*

1. *Development must substantially commence within two years from the date of this decision letter;*
2. *Development taking place in accordance with the approved plans;*
3. *The site shall be fenced off to the satisfaction of the Shire;*
4. *The subject activity being limited to thirty-six (36) occasions per annum;*
5. *The hours of operation for the subject activity being limited to weekends and public holidays from 10am – 4.30pm.*
6. *The club activity should occur outside of all scheduled aircraft traffic. The club shall implement procedures to monitor all other visual aircraft traffic and cease activity when operations are imminent.*
7. *The club shall only be used by members involved with suitable firearms for Clay Pigeon activities.*
8. *All lighting to be suitably erected to minimise effect on approaching or departing aircraft.*
9. *Suitable roofing material is to be used to minimise glare.*
10. *Prior to commencement of development, a program be developed to effectively manage waste and minimise bird and animal attractions.*
11. *The noise generated by activities on-site, including machinery motors or vehicles is not to exceed the levels as set out under the Environmental Protection (Noise) Regulations 1997 at the property boundary.*

#### ADVICE TO THE APPLICANT

**NOTE 1:** *If the applicant is aggrieved by this decision, as a result of approval or by a determination of refusal, there may be a right of review under the provisions of Part 14 of the Planning and Development Act 2005.*

*A review must be lodged with the State Administrative Tribunal, and must be lodged within 28 days of the decision being made by the Shire.*

**NOTE 2:** *An application for a building licence to construct the development hereby permitted is required to be submitted and approved by the Shire's Manager Environmental Health and Building Services prior to any works commencing on-site in relation to this determination.*

**NOTE 3:** *As competitions and training shoots will be held on weekends, the club president or representative is requested to contact National Jet Airlines on the Friday before and confirm all flights for the weekend. Those being the RPT's and any charters and the ARO be contacted on the same day for any other charters which may not be booked through National Jet Airlines.*

**AMENDMENT**

*That conditions 4 and 5 of the motion be deleted and substituted with the following:*

- “4. The subject activity being limited to 52 occasions per annum.*
- 5. The hours of operation for the activity being limited to 9am – 7.30pm. The club shall seek the Chief Executive Officer’s written consent to conduct the activity outside the aforementioned time restriction.”*

*That advice note number 3 in the motion be deleted and substituted with the following:*

*The club president or representative is requested to contact National Jet Airlines to confirm flights. Those being the RPT’s and any charters. The ARO be contacted on the same day for any other charters which may not be booked through National Jet Airlines.*

**Comment:**

The Club now wishes to progress the development hence the requirement for a lease.

In terms of the lease area, the Club has requested an area in excess of that required for the shooting facility (see plan attached), with the view to cropping the additional land for fund raising for the club.

It is pointed out that the subject land is part of the area leased to Blue Hills Grazing, therefore an adjustment will have to be made to the area of that lease.

Blue Hills Grazing has been consulted and has submitted the following comments:

- The area donated (highlighted in green) to be allocated to the Hopetoun Clay Target Club. From the entrance down to the creek line, around their shooting buffer zone to the north of the dam.*
- This area is to be fenced.*
- Allow a 20m offset from the existing fence.*
- The Hopetoun Clay Target Club to install a new gate (entrance) into their area.*
- The existing road (outlined in pink) is not included in the Hopetoun Clay Target Club area.*

*Please note that the area allocated has been determined by the need for the dam located in the paddock. We run stock in this paddock and although there are three other dams, the dam to the west is the only reliable water source as the other two leak and the other is too shallow to hold water in the summer.*

**Consultation:**

Not applicable.

**Statutory Obligations:**

Nil.

**Policy Implications:**

Nil.

**Budget / Financial Implications:**

Based on other sporting club and community group leases, a lease fee would not be applied.

The standard lease used by Council may not be suitable in this instance therefore there would be a cost of up to \$1,000 for the preparation of a lease.

**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 for Recommendation (1).  
Absolute majority for Recommendation (2).

OFFICER RECOMMENDATION (1)	ITEM 10.4.7
Moved: Cr Field	Seconded: Cr Dunlop
That -	
(1) Part Location 759 Hopetoun/Ravensthorpe Road, bordered green on the attached plan, identified as attachment 10.4.7(1), be leased to the Hopetoun Clay Target Shooting Club, subject to the club being an incorporated body.	
(2) The following conditions be included in the lease document:	
<ul style="list-style-type: none"> <li>• Term of Lease – 10 years plus an option of 10 years</li> <li>• General conditions as included in the planning approval granted by Council on 27 November 2008.</li> </ul>	

OFFICER RECOMMENDATION (2)	ITEM 10.4.7
That the Chief Executive Officer be delegated authority to finalise the lease with the Hopetoun Clay Target Shooting Club and to amend the lease with Blue Hills Grazing to reflect the reduced area.	

**Deferral Motion**

COUNCIL DECISION	ITEM 10.4.7
Moved: Cr Field	Seconded: Cr Tilbrook
This Item be deferred pending receipt of information from the Hopetoun Clay Target Shooting club on:	
<ul style="list-style-type: none"> <li>- Incorporation</li> <li>- Membership number</li> <li>- Ownership of building on the site.</li> </ul>	
Carried: 4/0	Res: 188/11

*5.26 – Cr Townsend returned to the meeting.*

- 11. **ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 12. **NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
  - 12.1 **ELECTED MEMBERS**  
Nil
  - 12.2 **OFFICERS**

COUNCIL DECISION	ITEM 12.2
Moved: Cr Tilbrook	Seconded: Cr Field
That Item 12.2.1 be dealt with at this meeting to meet the Department of Sport and Recreation funding application time lines.	
Carried: 5/0	Res: 189/11

**12.2.1 DEPARTMENT OF SPORT AND RECREATION CSRFF SMALL GRANTS ROUND**

**File Ref:**

**Applicant:** Not applicable

**Location:** Not applicable

**Disclosure of Officer Interest:** None

**Date:** 9 August 2011

**Author:** Angela Jess – Manager Recreation Services

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

**Attachments:** No

**Summary:**  
Council is requested to rank the priority of applications received for submission to the Department of Sport and Recreation (DSR) for their 2011/12 CSRFF Small Grants Round.



**Background:**

Each year the DSR make funds available through their Community Sporting and Recreation Facilities Fund (CSRFF).

As part of the assessment process, applicants must liaise with their Local Government Authorities (LGA) regarding planning and building approvals pertinent to their project. LGA's are then required to assess relevant applications and rank applications in priority order for the municipality. This must be done before DSR will assess the applications.

This year, three applications have been received.

1. Hopetoun Clay Target Club
2. Munglinup Pony Club
3. Ravensthorpe Hand Gun Club

The DSR look to funding up to one third of the total project cost.

**Comment:**

The Munglinup Pony Club and the Ravensthorpe Hand Gun Club have both been successful in applications for funding through the Ravensthorpe Hopetoun Future Fund (RHFF) and the Shire of Ravensthorpe's Community Development Fund (CDF). Both of these clubs are long established and have proven their viability.

Hopetoun Clay Target Club is a new club attempting to introduce a new sport to the region. In their application to the CSRFF they have requested an amount of \$5792.41(ex) from Council although did not lodge a formal application through Councils CDF process.

As required, all applicants have liaised extensively with the Shire of Ravensthorpe's Manager Recreation Services and the Department of Sport and Recreation's Regional Manager throughout this process. All three projects are considered worthy and meet the CSRFF key principal requirements.

Ranking assessment is based on the following criteria;

- Project justification
- Planning
- Community consultation
- Access and opportunity by members as well as the municipality
- Design
- Financial viability including commitment from the applicant
- The potential to increase physical activity
- And sustainability of the project
- Need according to required standards.

**Consultation:**

Shire of Ravensthorpe – Manager Recreation Services, Department of Sport and Recreation – Regional Manager, Goldfields.

**Statutory Obligations:**

Nil

**Policy Implications:**

Nil

**Budget / Financial Implications:**

No financial input is required from Council when ranking these applications although if the Hopetoun Clay Target Club application is supported, Council is asked to consider a contribution of \$5792.41(ex).

**Strategic Implications:**

Action plan 6.5, section 201 refers.

**Sustainability Implications:**

- **Environmental:**  
There are no known significant environmental considerations for these projects.
- **Economic:**  
All projects demonstrate potential to increase economic opportunity by allowing the hosting of larger event or events at a state level.
- **Social:**  
All projects demonstrate the potential to improve physical and mental wellbeing by developing recreational environments which maintain quality of life for our people.

**Voting Requirements:**

Simple majority.

<b>OFFICER RECOMMENDATION</b>	<b>ITEM 12.2.1</b>
That:	
Council support the ranking of the following projects to the Department of Sport and Recreation for consideration in their Community Sporting and Recreation Facilities Fund 2011/12 in the following order;	
<ol style="list-style-type: none"> <li>1. Ravensthorpe Hand Gun Club</li> <li>2. Munglinup Pony Club</li> <li>3. Hopetoun Clay Target Club</li> </ol>	

<b>COUNCIL DECISION</b>	<b>ITEM 12.2.1</b>
Moved: Cr Field	Seconded: Cr Tilbrook
That Council not consider applicant 3, Hopetoun Clay Target Club, until such time as tenancy and other issues have been resolved.	
Carried: 5/0	Res: 190/11

COUNCIL DECISION

ITEM 12.2.1

Moved: Cr Townsend

Seconded: Cr Tilbrook

Council support the ranking of the following projects to the Department of Sport and Recreation for consideration in their Community Sporting and Recreation Facilities Fund 2011/12 in the following order;

1. Ravensthorpe Hand Gun Club
2. Munglinup Pony Club

Carried: 5/0

Res: 191/11

**13. MATTERS BEHIND CLOSED DOORS**

**14. CLOSURE OF MEETING - 5.33pm**

These minutes were confirmed at the meeting of the

\_\_\_\_\_

Signed: \_\_\_\_\_

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

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