



# Minutes **(Unconfirmed)**

Ordinary Meeting of Council  
Tuesday, 15 August 2023



UNCONFIRMED

This page has been intentionally left blank

## INDEX OF AGENDA

1.	DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS .....	5
2.	RECORD OF ATTENDANCE, APOLOGIES AND APPROVED LEAVE OF ABSENCE .....	5
3.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....	6
4.	PUBLIC QUESTIONS TIME.....	6
5.	DECLARATIONS OF INTEREST .....	6
6.	APPLICATIONS FOR LEAVE OF ABSENCE.....	6
7.	CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	6
	7.1 ORDINARY COUNCIL MEETING MINUTES 18 JULY 2023 .....	6
8.	ANNOUNCEMENTS/REPORTS BY ELECTED MEMBERS .....	6
9.	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION.....	7
10.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS.....	7
11.	MATTERS ARISING FROM COMMITTEES OF COUNCIL.....	7
12.	REPORTS OF OFFICERS.....	8
12.1	EXECUTIVE SERVICES.....	8
	12.1.1 ECONOMIC GROWTH STRATEGY AND TOURISM PLAN .....	8
	12.1.2 MAINSTREET IMPROVEMENT STRATEGY .....	14
12.2	CORPORATE SERVICES .....	18
	12.2.1 MONTHLY FINANCIAL REPORTS – 31 JULY 2023.....	18
	12.2.2 SCHEDULE OF ACCOUNT PAYMENTS – JULY 2023 .....	20
12.3	INFRASTRUCTURE SERVICES.....	23
	12.3.1 REGISTRATION AS A ROADWISE COUNCIL.....	23
12.4	DEVELOPMENT AND COMMUNITY SERVICES.....	25
	12.4.1 DEVELOPMENT APPLICATION – FOOD VAN – LOT 24 (56) MORGANS STREET, RAVENSTHORPE.....	25
	12.4.2 DEVELOPMENT APPLICATION – MOBILE TRADING LOCATION – LOTS 600 AND 601 (90 AND 92) MORGANS STREET, RAVENSTHORPE.....	33
	12.4.3 DOG ON LEASH, OFF-LEASH AND PROHIBITED AREAS .....	41
	12.4.4 VEHICLES ON BEACHES ACCESSIBLE AND PROHIBITED AREAS.....	45
	12.4.5 DRAFT CAT LOCAL LAW 2023.....	49
13.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	52
14.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING .....	52
15.	MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS.....	52
16.	CLOSURE 52	

UNCONFIRMED

This page has been intentionally left blank

# MINUTES

**Mission Statement** *To grow our community through the provision of leadership, services and infrastructure.*

---

## 1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 6pm.

The Shire President acknowledged the Traditional Owners of the land on which we meet, and paid respect to Elders past, present, and emerging.

The Shire President advised visitors in adhering to both the *Local Government Act 1995*, and the Shire of Ravensthorpe Meeting Procedures Local Law 2022, it is an offence to record the proceedings of this meeting and visitors are to switch off any recording devices, including phones.

## 2. RECORD OF ATTENDANCE, APOLOGIES AND APPROVED LEAVE OF ABSENCE

### **Elected Members:**

Cr Keith Dunlop (Shire President)  
Cr Sue Leighton (Deputy Shire President)  
Cr Julia Bell  
Cr Thomas Major  
Cr Graham Richardson  
Cr Rachel Livingston (via Teams)

### **Officers:**

Matthew Bird (Chief Executive Officer)  
Les Mainwaring (Executive Manager Corporate Services)  
Paul Spencer (Executive Manager Infrastructure Services)  
Natalie Bell (Acting Executive Manager Development and Community Services)

### **VISITORS**

Mr Ken Norman, Mr Geoff Vivian (Esperance Weekender)

### **APOLOGIES**

Meredith Lee Curtis (Executive Assistant)

### **LEAVE OF ABSENCE**

Cr Mark Mudie

### 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

### 4. PUBLIC QUESTIONS TIME

The following question was asked by Mr Ken Norman.

*"Will this Council be allocating any Shire resources to canvas a particular outcome from we, the people of the Shire in the upcoming Federal referendum on the Indigenous Voice to Parliament?"*

The Shire President Keith Dunlop responded that no Shire resources have been allocated.

### 5. DECLARATIONS OF INTEREST

Executive Manager Infrastructure Services Declared interest for Agenda Item 12.4.2.

### 6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

### 7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

#### 7.1 ORDINARY COUNCIL MEETING MINUTES 18 JULY 2023

**Moved by Cr Leighton and Seconded by Cr Bell**

**Resolution 69/23**

**That the Minutes and associated attachments of the Ordinary Meeting of the Shire of Ravensthorpe held on 18 July 2023 be confirmed as a true and correct record.**

**Motion put and CARRIED by simple majority**

**6/0**

Cr Mark Mudie absent for the vote

### 8. ANNOUNCEMENTS/REPORTS BY ELECTED MEMBERS

#### **Cr Leighton:**

- Commented that the draft Tourism Plan (to be considered under item 12.1.1.) did not properly recognise the importance of the region's major events including the Ravensthorpe Wildflower Show, the Southerners Fishing Classic, and the Summer Festival.
- Attended and chaired the Allkem Community Consultation group meeting (noted the 250 bed workers camp and the Pitch Your Project grant program)
- Noted the good work being undertaken by the Munghlinup Community Group in securing assistance for isolated children funding.
- Attended the recent Shire community catch up events at Ravensthorpe, Munghlinup and Hopetoun.

#### **Cr Richardson:**

- Nothing to report as just returned from leave.

**Cr Major:**

- Attended the Shire community catch ups in Ravensthorpe and Hopetoun and commented these events were well received and there were good outcomes.
- Noted senior footy and hockey finals were scheduled for this weekend and invited all to attend. Also asked to pass on thanks to the Shire team for works undertaken to playing fields in lead up to the finals.

**Cr Livingston:**

- Noted that she has just returned from maternity leave.
- Attended the SEGRA Conference held in Toowoomba as a speaker on Rural Health issues using Ravensthorpe as a positive case study.

**Cr Bell:**

- Attended Shire community catch ups in Ravensthorpe and Hopetoun. Believed positive outcomes were achieved and has got people talking about important issues.
- Attended the Ravensthorpe Historical Society meeting held Saturday 5 August. Noted this was a very productive meeting. Internet problems, Ian Goldfinch report on projects, concrete slabs have been laid at park, security issues at the museum precinct.
- Attended the Allkem Community Consultation group meeting as newly appointed community representative. Thanked Allkem for modifying light spill issues, thanked them for funding of Shire interpretive room, and noted they are currently advertising for a local Community Liaison Officer role.
- Noted the newspaper article on importance of the woodlands recently published in Esperance Weekender.
- Provided an update on her undertaking of Diploma in Local Government studies.

**Cr Dunlop:**

- Attended a meeting with the Shire CEO and FQM management to discuss various issues.
- Attended Shire community catch ups in Ravensthorpe, Munglinup and Hopetoun. Good forums to get feedback from the community and reinforced the need to get better at promoting these type of engagement opportunities.

**9. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

Nil

**10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

The Chief Executive Officer has approved deputations from the following:  
Nil.

**11. MATTERS ARISING FROM COMMITTEES OF COUNCIL**

Nil.

## 12. REPORTS OF OFFICERS

### 12.1 EXECUTIVE SERVICES

#### 12.1.1 ECONOMIC GROWTH STRATEGY AND TOURISM PLAN

<b>File Reference:</b>	<b>CR.CC.5 and ED.ID.1</b>
<b>Location:</b>	<b>N/A</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Author:</b>	<b>Chief Executive Officer</b>
<b>Authorising Officer</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>7 August 2023</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments: <u>BLUE</u></b>	<b>1. Draft Economic Growth Strategy (amended) 2. Draft Tourism Plan 3. Public Comment received</b>
<b>Previous Reference:</b>	<b>N/A</b>

---

#### **PURPOSE**

1. That Council ENDORSE the Shire of Ravensthorpe Economic Growth Strategy and Tourism Plan, and AUTHORISE the Shire CEO to implement the report strategies.

#### **BACKGROUND**

2. In late 2022 the Shire contracted Lenon consultants via a Request for Quote (RFQ) procurement process to research and prepare an Economic Growth Strategy and Tourism Plan for the Ravensthorpe region.
3. As per the RFQ scope of works:

*"The region offers a number of opportunities and boasts high local volunteerism, a growing resident population, relatively cheap land and housing and well diversified local employment. Ravensthorpe is well positioned to attract those wanting to "live where you love, work where you live".*

*The challenges faced in developing sustainable and vibrant local communities revolve largely around enhancing the liveability of the region. Geographical remoteness, limited air travel access, lack of hospitality businesses (number and variety), attracting and retaining quality workforce (educators, health, mining and other industry professionals), digital connectivity, lack of community facilities, services and sport/recreation opportunities across all age groups all constrain the ability to attract and retain residents. This is compounded by the Shire's limited financial resources constrained by a small population and rate base.*

*The exceptional natural environment, both hinterland and coastal, positions Ravensthorpe as a highly sought-after lifestyle destination. There are significant opportunities to take advantage of broader trends including the post COVID population migration from capital cities to regional Australia however meeting basic expectations regarding liveability need to be met.*



*The Shire is actively attempting to address these issues and is now seeking the preparation of well-researched and considered suite of strategies and action plans to achieve the overall goal of enhancing liveability of the region.”* Source: RFQ scope of works

4. A key required outcome from the consultancy work was the preparation of a highly actionable Economic Growth Strategy (EGS) written for implementation by the Shire of Ravensthorpe.
5. Key deliverables from the EGS work were to:
  - a. Research and document key industry sector drivers, employment, population and other available demographic data for the Shire.
  - b. Identify and analyse key issues, strengths, constraints, opportunities and comparative points of difference to leverage. Issues such as resident/workforce attract and retention, determine ideal population levels for current infrastructure and best levels of service delivery.
  - c. Document the economic growth potential of the region.
  - d. Articulate an economic growth vision including a set of measurable economic, social and environmental target objectives over 2, 5- and 10-year time horizons.
  - e. Prepare a set of recommendations that maximises the region’s opportunities including a prioritised set of actions and strategies that work to achieve the objectives over the 2, 5 - and 10 year timelines.
  - f. The overall objective of the strategy is to improve the overarching liveability of the Ravensthorpe region and make clear recommendations that can be actioned by the Shire.
  - g. Produce a 5 year Integrated Economic Growth Strategy that will guide the economic development of the Shire of Ravensthorpe region over the medium to long term.
  - h. Prepare reports and sub plans as set out in the required outcomes.
6. Key deliverables from the Tourism Plan work were to:
  - a. Assess current and future recreation and tourism demand for the regional products and services within the wider Shire of Ravensthorpe area and neighbouring regions.
  - b. Identify regional customer profiles and forecast current and future demand of both recreational and tourism markets.
  - c. Identify key customer markets and key visitor markets to the region and where appropriate, quantify in relation to market size, expenditure capabilities and geographical origin.
  - d. Perform a tourism-based SWOT analysis for the region highlighting strengths, weaknesses, opportunities and threats on a regional level in particular with focus on local government role.
  - e. Develop a Shire of Ravensthorpe tourism growth “vision” that is financially sustainable and that is capable of delivering required economic returns to local industry and community.
  - f. Prepare a set of recommendations for the region that maximizes commercial opportunities and enables the harnessing of the region’s tourism potential.

## COMMENT

7. Lenon consultants presented draft EGS and Tourism Plan reports that were endorsed by Council at the 20 June 2023 Ordinary Council Meeting resolution number 47/23 to seek public comment.

## COUNCIL DECISION

*Moved by Cr Bell,*

*seconded by Cr Richardson*

*Resolution 47/23*

*That Council:*

1. ***APPROVE the draft versions of the Shire of Ravensthorpe's Economic Growth Strategy, Tourism Strategy, and draft Ravensthorpe Mainstreet Improvement Plan for public comment; and***
2. ***Once community feedback is received and reviewed, re-present above draft Reports for final consideration and endorsement by Council.***

***Motion put and CARRIED 6/0  
Cr Rachel Livingston absent for the vote***

8. Attachment 3 details feedback received (names redacted) on the draft EGS and Tourism plans.
9. As stated in the 20 June 2023 OCM item, economic development plays a crucial role in the growth and well-being of the Shire of Ravensthorpe community. It encompasses various processes and strategies aimed at improving the overall economic performance of an area, creating job opportunities, wealth creation, enhancing the standard of living, and promoting community stability and social progress.
10. As stated in the draft EGS, "Economic prosperity underpins a community. Without economic success, the benefits back to community and Shire will be negligible".
11. The EGS and Tourism reports are designed to provide direction to Shire and Council on how to drive and achieve outcomes in these spaces and work as part of the larger Shire of Ravensthorpe integrated planning framework.
12. The reports identify key community priorities, the perceived strengths and weaknesses, challenges and opportunities, strategic recommendations and actions, and sets measures for success.
13. The draft Shire of Ravensthorpe vision for economic growth is recommended as follows:  
***"Our vision is for a resilient and thriving economy that contributes directly and fairly to the local community; underpinning the long-term vibrancy and liveability of the region."***
14. As a summary, the strategic growth drivers of the EGS include:

- a. Fit for future infrastructure; ensure that the infrastructure within the region unlocks economic potential including improved housing and transport;
  - b. Growing with industry and partners; increase the economic wealth of the community through achieving sustainable returns to and from the resources and agribusiness sectors;
  - c. A more vibrant and liveable region; grow the attractiveness of the shire as a place to live, work, visit and run a business through better health, education, care, entertainment and recreation;
  - d. A diversified economy; increase the percentage contribution of GRP from tourism and new industries by developing tourism and supporting emerging industry growth.
15. Community and stakeholder feedback have been received (summarised in Attachment 3) and Council are now being asked to consider endorsing the reports and authorising the Shire CEO to implement the report strategies.

**CONSULTATION**

16. A key requirement of the consultancy work was to ensure a high level of consultation with client and other key project stakeholders as identified was undertaken. A summary of consultation undertaken is included in report attachments. Approximately 50 people were consulted through in-depth interviews and group discussions. In addition, a community survey was undertaken providing a strong response with 85 people participating.

**STATUTORY ENVIRONMENT**

17. *Local Government Act 1995 - s. 5.56 19.*

Local Government (Administration) Regulations 1996 - s. 19C, 19D

**POLICY IMPLICATIONS**

18. Nil

**FINANCIAL IMPLICATIONS**

19. Resource requirements for implementation of report recommendations will need to be considered as part of future budgetary processes.

**RISK MANAGEMENT**

20. The following risks have been identified as part of this report;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational) The Shire does not realise the full benefits of its economic growth potential	Possible	Moderate	Medium	Preparation of a dedicated EGS and other supporting plans to complement the Shire’s SCP. Council authority to CEO to implement the endorsed plans.

Reputational; Council perceived as not ensuring maximum benefits for the community from the economic sector are fully realised.

Possible Moderate Medium

Council endorse plans and authorise CEO to implement strategic actions.

## ALTERNATE OPTIONS

21. Council may decide not to endorse the EGS and/or Tourism plans, or may seek further public comment on the draft plans.

## STRATEGIC ALIGNMENT

22. This item is relevant to the Councils approved Strategic Community Plan 2020-2030 and Corporate Business Plan 2020-2024.

**Outcome 1: Economy** - The population is growing, in tandem with a thriving, resilient local economy.

Item	Objectives and Strategies
1.1	To grow business and employment
1.2	The right resources and infrastructure are in place to support local commerce and industry

**Outcome 2: Community** - This is a safe and family-friendly community where people of all ages have access to services and facilities, and there is plenty to blow your socks off.

Item	Objectives and Strategies
2.1	Social services and facilities are designed and delivered in a way that fits community needs and aspirations
2.4	People have access to attractive community facilities, activities and events which support activity and health, community involvement and enjoyment of life

**Outcome 3: Built Environment** - The built environment is accessible, honours history and provides for the economic and social needs of residents, industry and visitors.

Item	Objectives and Strategies
3.1	The Shire of Ravensthorpe has appropriate housing choice available to the community
3.2	New development (including commercial) is of a high quality and contributes positively to the character and appearance of the town
3.3	The towns of the Shire have attractive streetscapes in keeping with local character
3.4	It is easy and safe to move around and in and out of the district
3.5	The Shire's heritage structures, heritage and cultural places are valued and protected, and are integrated into community life and economic activity.

**Outcome 4: Natural Environment** - Our unique world class biosphere is valued and protected for the enjoyment of current and future generations.

Item	Objectives and Strategies
4.3	The Shire's valued natural areas and systems are protected and enhanced

**Outcome 5: Governance and Leadership** - The Shire of Ravensthorpe partners the community, and is an effective advocate and responsible steward.

Item	Objectives and Strategies
5.1	The Shire's community is engaged and involved
5.2	The Council ensures its decisions are well informed and considered

Item	Objectives and Strategies
5.3	The Council, with the support of the community, is an effective advocate for resources and facilities which support the vision for the future

### **VOTING REQUIREMENTS**

23. Simple Majority

### **COUNCIL DECISION**

**Moved by Cr Major,**

**seconded by Cr Richardson**

**Resolution 70/23**

**That Council:**

- 1. ENDORSE the Shire of Ravensthorpe Economic Growth Strategy (Amended Version);**
- 2. ENDORSE the Shire of Ravensthorpe Tourism Plan; and**
- 3. AUTHORISE the Shire CEO to implement the strategies of these endorsed reports.**

**Motion put and CARRIED by simple majority**

**6/0**

Cr Mark Mudie absent for the vote

## 12.1.2 MAINSTREET IMPROVEMENT STRATEGY

<b>File Reference:</b>	<b>LU.PL.13 and LU.PL.20</b>
<b>Location:</b>	<b>Shire of Ravensthorpe</b>
<b>Applicant:</b>	<b>Shire of Ravensthorpe</b>
<b>Author:</b>	<b>Chief Executive Officer</b>
<b>Authorising Officer</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>7 August 2023</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments:</b> <u>GREEN</u>	<b>1. Draft Mainstreet Improvement Strategy 2. Public comment received</b>
<b>Previous Reference:</b>	<b>Nil</b>

---

### **PURPOSE**

1. That Council NOTE the Shire of Ravensthorpe Mainstreet Improvement Strategy and APPROVE the resourcing and implementation of the Town Teams approach to further develop the mainstreet plans for Morgans and Veal Streets within the townships of Ravensthorpe and Hopetoun respectively.

### **BACKGROUND**

2. In late 2022 the Shire contracted Land Insights consultants via a Request for Quote (RFQ) procurement process to study and find ways of improving the main streets in Ravensthorpe and Hopetoun.
3. As per the RFQ scope of works the project task was to;
  - a. Upgrade and restore the role of the main streets of Ravensthorpe and Hopetoun to encourage visitors and locals to stop at each town.
  - b. Improve the aesthetics of street edges for pedestrians and cyclists, managing traffic; and locating parking where it can provide convenient and suitable access to shops, business, and homes.
  - c. Identify and build a town identity for each town, taking note of the heritage and landscape qualities as well as local values.
4. A key required outcome from the consultancy work was the preparation of a master plan that revitalises the main streets in each town, while encouraging the development of business and improving the existing character of the two towns.

### **COMMENT**

5. Land Insights presented a draft Mainstreet Improvement Strategy report that was endorsed by Council at the 20 June 2023 Ordinary Council Meeting resolution number 47/23 to seek public comment.

## COUNCIL DECISION

Moved by Cr Bell,

seconded by Cr Richardson

Resolution 47/23

That Council:

1. **APPROVE the draft versions of the Shire of Ravensthorpe's Economic Growth Strategy, Tourism Strategy, and draft Ravensthorpe Mainstreet Improvement Plan for public comment; and**
2. **Once community feedback is received and reviewed, re-present above draft Reports for final consideration and endorsement by Council.**

**Motion put and CARRIED 6/0  
Cr Rachel Livingston absent for the vote**

6. The draft report provided a number of thought-provoking concepts and street design alternatives that has generated significant comment and interest amongst the local communities of Hopetoun and Ravensthorpe.
7. Attachment 2 details feedback received (names redacted) on the draft Mainstreet Improvement plan.
8. Community and stakeholder feedback received has been substantial and extensive.
9. It is clear from the feedback received that further work is required.
10. Officers are recommending that Council endorse the report recommendation to form two (2) Town Teams to "take up the challenge of coordinating business and residents to work together in favour of their town and the main streets".
11. The Town Teams movement are a contemporary approach for positive and proactive community groups that work collaboratively with their local governments to improve a place or area. More information found on [www.townteammovement.com](http://www.townteammovement.com)
12. There are currently 128 Town Teams across Australia, United Kingdom and New Zealand.
13. The Department for Local Government Sport and Cultural Industries has also recently announced its engagement of Town Teams to deliver placemaking training for the WA local government sector.

## CONSULTATION

14. A summary of consultation undertaken is included in report attachments.

## STATUTORY ENVIRONMENT

15. *Local Government Act 1995* - s. 5.56 19.  
Local Government (Administration) Regulations 1996 - s. 19C, 19D

**POLICY IMPLICATIONS**

16. Nil

**FINANCIAL IMPLICATIONS**

17. Resource requirements for implementation of the Town Teams approach will need to be considered as part of future budgetary processes.

**RISK MANAGEMENT**

18. The following risks have been identified as part of this report;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational) & Reputational; Council adopts mainstreet plans that do not have community support	Possible	Moderate	Medium	Council to only note the draft Mainstreet plans however endorse the creation of Town Teams approach to ensure high levels of community input into final Mainstreet plans.

**ALTERNATE OPTIONS**

19. Council may decide not to endorse the officer recommendation to establish the town teams’ approach, and/or may seek further public comment on the draft plan.

**STRATEGIC ALIGNMENT**

20. This item is relevant to the Councils approved Strategic Community Plan 2020-2030 and Corporate Business Plan 2020-2024.

**Outcome 1: Economy** - The population is growing, in tandem with a thriving, resilient local economy

Item	Objectives and Strategies
1.1	To grow business and employment
1.2	The right resources and infrastructure are in place to support local commerce and industry

**Outcome 2: Community** - This is a safe and family-friendly community where people of all ages have access to services and facilities, and there is plenty to blow your socks off

Item	Objectives and Strategies
2.1	Social services and facilities are designed and delivered in a way that fits community needs and aspirations
2.4	People have access to attractive community facilities, activities and events which support activity and health, community involvement and enjoyment of life

**Outcome 3: Built Environment** - The built environment is accessible, honours history and provides for the economic and social needs of residents, industry and visitors

Item	Objectives and Strategies
3.1	The Shire of Ravensthorpe has appropriate housing choice available to the community
3.2	New development (including commercial) is of a high quality and contributes positively to the character and appearance of the town
3.3	The towns of the Shire have attractive streetscapes in keeping with local character
3.4	It is easy and safe to move around and in and out of the district
3.5	The Shire’s heritage structures, heritage and cultural places are valued and protected, and are integrated into community life and economic activity.



**Outcome 4: Natural Environment** - Our unique world class biosphere is valued and protected for the enjoyment of current and future generations

Item	Objectives and Strategies
4.3	The Shire's valued natural areas and systems are protected and enhanced

**Outcome 5: Governance and Leadership** - The Shire of Ravensthorpe partners the community, and is an effective advocate and responsible steward

Item	Objectives and Strategies
5.1	The Shire's community is engaged and involved
5.2	The Council ensures its decisions are well informed and considered
5.3	The Council, with the support of the community, is an effective advocate for resources and facilities which support the vision for the future

### VOTING REQUIREMENTS

21. Simple Majority

### COUNCIL DECISION

Moved by Cr Major,

seconded Cr Richardson

Resolution 71/23

That Council;

1. **NOTE** the Shire of Ravensthorpe Mainstreet Improvement Strategy, and
2. **APPROVE** the resourcing and implementation of the Town Teams approach to further develop the mainstreet plans for Morgans and Veal Streets within the townships of Ravensthorpe and Hopetoun respectively.

Motion put and **CARRIED** by simple majority

6/0

Cr Mark Mudie absent for the vote

## 12.2 **CORPORATE SERVICES**

### 12.2.1 MONTHLY FINANCIAL REPORTS – 31 JULY 2023

<b>File Reference:</b>	<b>N/A</b>
<b>Location:</b>	<b>Shire of Ravensthorpe</b>
<b>Applicant:</b>	<b>Nil</b>
<b>Author:</b>	<b>Accountant</b>
<b>Authorising Officer</b>	<b>Executive Manager Corporate Services</b>
<b>Date:</b>	<b>9 August 2023</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachment: <u>LIGHT BLUE</u></b>	<b>Monthly Financial Reports for 31 July 2023</b>
<b>Previous Reference:</b>	<b>Nil</b>

---

#### **PURPOSE**

1. In accordance with the Local Government Financial Management Regulations (1996), Regulation 34, a local government is to prepare a monthly Statement of Financial Activity for approval by Council.

#### **BACKGROUND**

2. Council is requested to review the July 2023 Monthly Financial Reports.

#### **COMMENT**

3. The July 2023 Monthly Financial Reports are presented for review.

#### **CONSULTATION**

4. Executive Team

#### **STATUTORY ENVIRONMENT**

5. Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the Local Government (Financial Management) Regulations 1996 apply.

#### **POLICY IMPLICATIONS**

6. Nil.

#### **FINANCIAL IMPLICATIONS**

7. All expenditure has been approved via adoption of the 2022/23 Annual Budget, or resulting from a Council Motion for a budget amendment.

#### **RISK MANAGEMENT:**

8. The following risks have been identified as part of this report;

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
-------------	-------------------	--------------------	----------------------	-------------------

---

Reputational – That Council does not receive the financial activity statements as required by S6.4 of the <i>Local Government Act 1995</i> .	Rare	Insignificant	Very Low	That Council receives the financial activity statements as required by legislation.
--	------	---------------	----------	---

**ALTERNATE OPTIONS**

9. Nil.

**STRATEGIC ALIGNMENT**

10. This item is relevant to the Councils approved Strategic Community Plan 2020-2030 and Corporate Business Plan 2020-2024.

**Outcome 5: Governance and Leadership** - The Shire of Ravensthorpe partners the community, and is an effective advocate and responsible steward

Item	Objectives and Strategies
5.5	The value of community owned assets is maintained
5.5.1	Assets renewals and upgrades are funded to the level required to maintain asset value and agreed service levels
5.5.2	Projects are well-planned planned and delivered on time and on budget, with effective and thorough risk management and reporting
5.6	Financial systems are effectively managed
5.6.1	Financial management and reporting systems are able to deliver on all administrative and management functions (including reporting), and long-term financial planning requirements

**VOTING REQUIREMENTS**

11. Simple Majority

**COUNCIL DECISION**

**Moved by Cr Leighton, seconded Cr Bell Resolution 72/23**

**That Council RECEIVE the July 2023 Monthly Financial Reports as presented.**

**Motion put and CARRIED by simple majority**

**6/0**  
 Cr Mark Mudie absent for the vote

12.2.2 SCHEDULE OF ACCOUNT PAYMENTS – July 2023

**File Reference:** GR.ME.8  
**Location:** Shire of Ravensthorpe  
**Applicant:** Shire of Ravensthorpe  
**Author:** Finance Officer  
**Authorising Officer:** Executive Manager of Corporate Services  
**Date:** 9 August 2023  
**Disclosure of Interest:** Nil  
**Attachment:** ORANGE  
 1. Schedule of Payments to 31 July 2023  
 2. Credit Card Transactions 01 July 2023  
 3. Creditors List of Accounts Paid July 2023

**Previous Reference:** Nil

**PURPOSE**

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

**BACKGROUND**

2. Period 01/07/2023 – 31/07/2023

Month	Cheques	EFT Pymts	Direct Debits	Credit Card	Trust	Total Creditors	Payroll
Jul	5,390	977,241	77,098	4,180	0	1,063,909	336,369
Aug	0	0	0	0	0	0	0
Sep	0	0	0	0	0	0	0
Oct	0	0	0	0	0	0	0
Nov	0	0	0	0	0	0	0
Dec	0	0	0	0	0	0	0
Jan	0	0	0	0	0	0	0
Feb	0	0	0	0	0	0	0
Mar	0	0	0	0	0	0	0
Apr	0	0	0	0	0	0	0
May	0	0	0	0	0	0	0
Jun	0	0	0	0	0	0	0
<b>Total</b>	<b>5,390</b>	<b>977,241</b>	<b>77,098</b>	<b>4,180</b>	<b>0</b>	<b>1,063,909</b>	<b>336,369</b>
<b>22/23</b>	<b>114,562</b>	<b>12,445,050</b>	<b>943,431</b>	<b>81,842</b>	<b>0</b>	<b>13,584,885</b>	<b>4,162,759</b>
<b>21/22</b>	<b>109,610</b>	<b>11,455,728</b>	<b>1,217,128</b>	<b>101,107</b>	<b>0</b>	<b>12,883,572</b>	<b>4,057,812</b>
<b>20/21</b>	<b>219,357</b>	<b>8,442,181</b>	<b>965,406</b>	<b>135,103</b>	<b>0</b>	<b>9,762,047</b>	<b>3,790,863</b>

**COMMENT**

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

**CONSULTATION**

4. Accountant and Executive Manager Corporate Services

**STATUTORY ENVIRONMENT**

5. Regulation 13 (1) – (3) of the Local Government (Financial Management) Regulations

**POLICY IMPLICATIONS**

6. Nil.

**FINANCIAL IMPLICATIONS**

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

**RISK MANAGEMENT**

8. The following risks have been identified as part of this report;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational; That Council does not receive the list of payments.	Rare	Insignificant	Very Low	That Council receives the list of payments as required by legislation

**ALTERNATE OPTIONS**

9. Nil.

**STRATEGIC ALIGNMENT**

10. This item is relevant to the Councils approved Strategic Community Plan 2020-2030 and Corporate Business Plan 2020-2024.

**Outcome 1: Economy** - The population is growing, in tandem with a thriving, resilient local economy.

Item	Objectives and Strategies
1.2	The right resources and infrastructure are in place to support local commerce and industry

**Outcome 5: Governance and Leadership** - The Shire of Ravensthorpe partners the community, and is an effective advocate and responsible steward.

Item	Objectives and Strategies
5.2	The Council ensures its decisions are well informed and considered
5.3	The Council, with the support of the community, is an effective advocate for resources and facilities which support the vision for the future
5.6	Financial systems are effectively managed
5.7	Customer service and other corporate systems are of high quality

**VOTING REQUIREMENTS**

11. Simple Majority

**COUNCIL DECISION**

Moved by Cr Richardson,

seconded by Cr Livingston

Resolution 73/23

That Council pursuant to Regulation 13 of the *Local Government (Financial Management) Regulations 1996*, the payment of accounts for the month of July 2023 be noted.

Motion put and CARRIED by simple majority

6/0

Cr Mark Mudie absent for the vote

## **12.3     INFRASTRUCTURE SERVICES**

### **12.3.1     REGISTRATION AS A ROADWISE COUNCIL**

<b>File Reference:</b>	<b>RD.NO.1</b>
<b>Location:</b>	<b>Shire of Ravensthorpe</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Author:</b>	<b>Executive Manager Infrastructure Services</b>
<b>Authorising Officer</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>9 August 2023</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments: <u>RED</u></b>	<b>Invitation and Registration Form</b>
<b>Previous Reference:</b>	<b>OCM 20 June 2023 Resolution 55/23</b>

---

#### **PURPOSE**

1. For Council to support registration as a RoadWise Council.

#### **BACKGROUND**

2. Shire of Ravensthorpe received an invitation on 8 August 2023 from Mr Nick Sloan of WALGA to become a RoadWise Council.
3. By becoming a RoadWise Council, the Shire of Ravensthorpe will:
  - a. Demonstrate a commitment to improve road safety outcomes within the community using the resources available.
  - b. Have access to the RoadWise Council logo for use on Shire of Ravensthorpe promotional communications or infrastructure.
  - c. Gain priority access to WALGA's road safety services and products.
  - d. Be eligible for formal recognition for road safety management and actions, including support in benchmarking and monitoring progress of road safety outcomes through the RoadWise Recognised initiative.
4. The Road Safety Advisor will visit the Shire of Ravensthorpe quarterly and spend up to one week per quarter assisting the Shire of Ravensthorpe, including attendance at Corporate Discussions, if and when required.

#### **COMMENT**

5. Shire Officers welcome increased resourcing and expertise to improve road safety.

#### **CONSULTATION**

6. Shire Executive Manager and Councillors discussed at Corporate Discussion 1 August 2023.

#### **STATUTORY ENVIRONMENT**

7. Nil.

#### **POLICY IMPLICATIONS**

8. Nil.

**FINANCIAL IMPLICATIONS**

9. There are no direct costs to join RoadWise, however there will be some time spent by Shire Officers to participate, develop and implement RoadWise initiatives in the course of their duties.

**RISK MANAGEMENT**

10. The following risks have been identified as part of this report;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Financial	Low	Minor	Low	Fees to allow for program development, participation of Shire Officer and implementing RoadWise initiatives.

**ALTERNATE OPTIONS**

11. The Council may decline WALGA’s invitation

**STRATEGIC ALIGNMENT**

12. This item is relevant to the Councils approved Strategic Community Plan 2020-2030 and Corporate Business Plan 2020-2024.

**Outcome 3: Built Environment** - The built environment is accessible, honours history and provides for the economic and social needs of residents, industry and visitors

Item	Objectives and Strategies
3.4	It is easy and safe to move around and in and out of the district

**VOTING REQUIREMENT**

13. Simple Majority

**COUNCIL DECISION**

**Moved by Cr Leighton, seconded by Cr Bell Resolution 74/23**

- That Council accept WALGA’s invitation to register as a RoadWise Council and endorse the CEO to complete the registration process, and**
- That Council endorse the CEO to nominate at least one staff member to be the primary point of contact for road safety matters and that the Council member of the Regional Roads Group become the primary points of contact for road safety matters.**

**Motion put and CARRIED by simple majority**

**6/0**

Cr Mark Mudie absent for the vote



## **12.4 DEVELOPMENT AND COMMUNITY SERVICES**

### **12.4.1 DEVELOPMENT APPLICATION – FOOD VAN – LOT 24 (56) MORGANS STREET, RAVENSTHORPE**

<b>File Reference:</b>	<b>P23-17</b>
<b>Location:</b>	<b>Lot 24 (56) Morgans Street, Ravensthorpe</b>
<b>Applicant:</b>	<b>Robert Frank Moerva</b>
<b>Author:</b>	<b>Planning Officer</b>
<b>Authorising Officer</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>08 August 2023</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments: <u>PURPLE</u></b>	<b>Supporting Documentation, including plans and photographs</b>
<b>Previous Reference:</b>	<b>Agenda Item 12.4.2 Ordinary Council Meeting 18 July 2023</b>

---

#### **PURPOSE**

1. For Council to consider Development Application P23-17 for a Food Van at Lot 24 (56) Morgans Street, Ravensthorpe.

#### **BACKGROUND**

2. Shire of Ravensthorpe received Development Application P23-17 for a Food van at Lot 24 (56) Morgans Street, Ravensthorpe on 26 June 2023. Lot 24 (56) Morgans Street, Ravensthorpe is zoned Rural Townsite, has a lot area of 1012 square metres and is developed with a shed.

As per Local Planning Scheme No. 6, there is no set use for Food Vans and thus this proposal is considered an Unspecified Land Use with similarities to a Home Business, Shop and Car Park, none of which have an advertising requirement in the Rural Townsite zone.

#### **COMMENT**

3. Lot 24 (56) Morgans Street, Ravensthorpe on 26 June 2023. Lot 24 (56) Morgans Street, Ravensthorpe is zoned Rural Townsite, has a lot area of 1012 square metres and is developed with several sheds.

A Food Van is not a defined use under the Local Planning Scheme, and as such is considered as an Unspecified Use. Under Clause 3.3.4 of Local Planning Scheme No. 6, The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table -

- a. determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
- b. determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or

- c. determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.

The objectives of the Rural Townsite zone are as follows:

#### Rural Townsite Zone

- i. To provide for a range of land uses that would typically be found in a small country town.
- ii. To provide a flexible approach to development to encourage the growth of the townsites within the Shire of Ravensthorpe.
- iii. Ensure the existing amenity and character of the townsites within the Shire of Ravensthorpe are retained by ensuring the compatibility of considered land uses.
- iv. Ensure the efficient use of services and infrastructure within the Shire's townsites.

In this instance it is the position of the Planning Officer that the proposed use is consistent with the objectives of the Rural Townsite zone and can be considered without advertising.

Noting that the Itinerant Trading Policy would not apply in this situation as the applicant will be trading from private property strictly under consent of the landowner, refer LPP13.1, it is recommended the Council takes into consideration the policy as a guide to informing itself of the intent of the policy and its relationship to this application;

- Whilst the applicant is proposing to operate from a fixed private site, there is a likelihood that the operator may also intend or decide to operate from other locations (such as markets and events) in the future;
- The policy enables Council, at the discretion of the CEO, to approve locations other than an approved site so long as they are within 500 metres of the post office. In this case the proposed location is between 200 and 250 metres from the post office.
- Permits will not be issued for itinerant trading within 100m of a competing static business (does not include other itinerant traders at the same opening times and trading in predominantly similar products unless it is in association with an approved event). For clarity, types of food e.g. pizza, hamburgers, fish and chips are not considered similar products. In this instance the application is for a food van serving a range of burgers, drinks and meals. The only similar business serving food is the Service Station on the opposite side of Morgans Street. The chosen location is more than 100 metres from the Ravensthorpe Hotel. As the product being supplied is specifically listed as types of food which are not considered similar product, it is deemed that there is no conflict and that as such the proposed location is appropriate for an itinerant trader such as the proposed food van.

Consideration is also to be given that the applicant has indicated that the food van will be stored at a residential property at Unit 3 (51) Dunn Street, Ravensthorpe, with produce stored in an on-site freezer. While the Planning Officer would prefer that the Food Van be stored in an area that is not noise-sensitive (such as an industrial property), it is acknowledged that so long as all

equipment in the food van is shut down when the vehicle is stored at the residential premises, wastes are disposed of appropriately and any associated equipment (such as the freezer) is capable of operating quietly and is well maintained that the impact on other residential landowners in proximity from noise, waste and odours should be minimal.

**CONSULTATION**

- 4. The application was referred to the Health Officers for comment due to the proposal being for a food business. The comments from Health Officers have been included as conditions and advice notes as appropriate.

As per Local Planning Scheme No. 6, there is no set use for Food Vans and thus this proposal is considered an Unspecified Land Use with similarities to a Home Business, Shop and Car Park, none of which have an advertising requirement in the Rural Townsite zone.

**STATUTORY ENVIRONMENT**

- 5. Local Planning Scheme No. 6
- 6. The applicant has a right of review to the State Administrative Tribunal if aggrieved by any planning decision.
- 7. It should also be noted that pursuant to Section 211(1) of the *Planning and Development Act 2005*, a person aggrieved by the failure of a local government to enforce or implement effectively the observance of a local planning scheme may make representation to the Minister. If the Minister considers it appropriate to do so, representation may be referred to the State Administrative Tribunal for its report and recommendation. Following subsequent actions and recommendation by the SAT the Minister may order the local government to do all things considered necessary for enforcing the observance of the Scheme or any provisions of the Scheme.

**POLICY IMPLICATIONS**

- 8. None

**FINANCIAL IMPLICATIONS**

- 9. Application fees totalling \$221.70 were received as part of this application.

**RISK MANAGEMENT**

- 10. The following risks have been identified as part of this report;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational)	<b>Unlikely</b>	<b>Minor</b>	<b>Low</b>	Comply with all planning and health regulations

Financial	<b>Rare</b>	<b>Insignificant</b>	<b>Very Low</b>	Traders pay annual fee. Regular inspections carried out
Environmental	<b>Rare</b>	<b>Insignificant</b>	<b>Very Low</b>	Regular health inspections Approval conditions to be adhered to
Reputational	<b>Rare</b>	<b>Insignificant</b>	<b>Very Low</b>	Compliance with Corporate Business Plan and Strategic Community Plan

**ALTERNATE OPTIONS**

11. The Council may either:

- determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land: or
- determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone

**STRATEGIC ALIGNMENT**

12. This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022.

**Outcome 1: Economy** - The population is growing, in tandem with a thriving, resilient local economy

Item	Objectives and Strategies
1.1	To grow business and employment
1.2	The right resources and infrastructure are in place to support local commerce and industry

**Outcome 2: Community** - This is a safe and family-friendly community where people of all ages have access to services and facilities, and there is plenty to blow your socks off

Item	Objectives and Strategies
2.4	People have access to attractive community facilities, activities and events which support activity and health, community involvement and enjoyment of life

**Outcome 5: Governance and Leadership** - The Shire of Ravensthorpe partners the community, and is an effective advocate and responsible steward

Item	Objectives and Strategies
5.1	The Shire's community is engaged and involved
5.2	The Council ensures its decisions are well informed and considered
5.3	The Council, with the support of the community, is an effective advocate for resources and facilities which support the vision for the future

## **VOTING REQUIREMENTS**

13. Simple Majority

## **COUNCIL DECISION**

**Moved by Cr Bell,**

**seconded by Cr Leighton**

**Resolution 75/23**

**That Council APPROVE Development Application P23-17 for a Food Van at Lot 24 (56) Morgans Street, Ravensthorpe subject to the following conditions:**

- 1. Development shall be carried out and fully implemented in accordance with the details indicated on the stamped approved plan(s) unless otherwise required or agreed in writing by the Shire of Ravensthorpe.**
- 2. This planning approval relates to the land the subject of the application and the applicant only, and cannot be assigned to any other person or transferred to any other property or premises.**
- 3. All stormwater and drainage run off from all roofed and impervious areas is to be retained on-site to the satisfaction of the Shire of Ravensthorpe.**
- 4. The provision of all services, including augmentation of existing services, necessary as a consequence of any proposed development shall be at the cost of the developer and at no cost to the Shire of Ravensthorpe.**
- 5. The development hereby approved must not create community safety concerns, or otherwise adversely affect the amenity of the subject locality by reason of (or the appearance or emission of) smoke, fumes, noise, vibration, odour, vapour, dust, waste water, waste products or other pollutants.**
- 6. The trader/applicant is responsible for ensuring that all solid and liquid wastes from the Food Van are disposed of legally, does not cause odour nuisance and do not result in excessive amounts of wastes being disposed of via a residential bin.**
- 7. The trader is responsible for containment and removal off all waste arising from their operations. The site and surrounds must be maintained in a clean manner with all waste removed and legally disposed of.**
- 8. Greywater from the food van is to be disposed of via the dump point located in Dunn Street or any future location.**
- 9. A copy of the public liability insurance for the business is to be provided to the Shire of Ravensthorpe prior to commencement of use. All Itinerant Traders operating within the Shire must hold a public liability policy of insurance in respect of the activities being undertaken, providing cover of at least \$5,000,000.**
- 10. All food preparation is to be undertaken in the Food Van.**

11. **The proposed operations, including storage of the Food Van and operation of associated equipment (freezer, etc) at Unit 3 (51) Dunn Street, Ravensthorpe are required to comply with the *Environmental Protection (Noise) Regulations 1997*.**
12. **No fixed advertising at Lot 24 (56) Morgans Street, Ravensthorpe is included with this approval. A single moveable advertising sign may only be displayed during the operating times of the business.**
13. **This approval is valid for a period of 12 months from the date of issuance. Renewal for a period longer than 12 months may be considered by the Shire of Ravensthorpe subject to no complaints being received regarding the operation of the food van.**
14. **Rubbish receptacles are kept clean and tightly sealed at all times except when refuse is being deposited or emptied, so as to avoid nuisance from smells or attracting pests / rodents.**
15. **The applicant is to provide mechanical ventilation (rangehood) above the oven/stove which is to be ducted to the outside air.**
16. **Where grease, oil or greasy/oily matter is likely to be discharged, it shall be discharged through a solid arrestor to an approved Class 1 separation system (in accordance with EN858-1). The Class 1 separator system must be maintained in accordance with the manufacturers operation and maintenance manual with a manifest recording all maintenance operations kept on site at all times. Maintenance to be performed every 6 months or whenever the early alert probe is activated.**
17. **Any lighting device is to be so positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries (in accordance with Australian Standard AS4282/1997).**
18. **The location of external fans, compressors, pumps, air conditioning apparatus, swimming pool motors and the like being installed to prevent loss of amenity to the area by its noise, emission or otherwise and in accordance with the Environmental Protection Act 1986, and Environmental Protection (Noise) Regulations 1997.**

**And the following advice notes:**

1. **The development is to comply with the *Building Code of Australia, Building Regulations* and the *Local Government Act*.**
2. **It is the responsibility of the developer to search the title of the property to ascertain the presence of any easements and/or restrictive covenants that may apply.**
3. **Electricity Providers have requested the Shire to advise Applicants that certain restrictions regarding the installation of conductive materials near network assets. Applicants are advised to contact the local electricity providers for the Ravensthorpe region to ascertain whether any restrictions affect their proposed development.**

4. The approved development is required to comply with the following legislation (as amended from time to time):

- *Health (Miscellaneous Provisions) Act 1911*
- *Work Health and Safety Regulations 2022*
- *Sewerage (Lighting, Ventilation & Construction) Regulations 1971*
- *Food Act 2008*
- *Food Regulations 2009*
- *Health Act (Laundries and Bathrooms) Regulations 1971*

5. The development is defined as a "Food Business" under the *Food Act 2008*. The development must comply with the *Food Act 2008* and *Food Regulations 2009* and the *Australian New Zealand Food Standards Code*.

6. In accordance with the provisions of the *Food Act 2008* and *Food Regulations 2009* an application to register the food business hereby permitted must be submitted and approved by the Shire of Ravensthorpe (Health Services) prior to the commencement of operations.

7. A food business not connected to an approved water scheme requires a water supply service to the satisfaction of the Shire of Ravensthorpe and will require regular water monitoring to ensure potability and compliance with the Australian Drinking Water Guidelines No 6.

8. The development the subject of this development approval is required to comply with the Shire of Ravensthorpe Health Local Laws.

9. The developer is to liaise with Shire of Ravensthorpe to determine any requirement for additional approvals for any signage proposed to be erected on site.

10. All Mobile Food Vendors are required to apply for a Food Business Registration /Certificate

11. Should excessive amounts of noise, odour or waste be reported at Unit 3 (51) Dunn Street, Ravensthorpe, relocation of the food van and associated activities to a non-noise sensitive site may be required by the Shire of Ravensthorpe.

12. An owner or occupier of premises shall not place, throw or leave, or permit or cause to be placed, thrown or left, in, on or about the premises any matter or thing which is liable to attract or be a breeding place for flies, cockroaches, other pests or rodents.

13. Special attention should be given to the following:

Please refer to below guidelines and information pertaining to your business.

- *Food Act 2008 (WA)* which can be viewed in its entirety at [https://www.legislation.wa.gov.au/legislation/statutes.nsf/main\\_mrtitle\\_3595\\_ho\\_mepage.html](https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_3595_ho_mepage.html)

- **Food Regulations 2009 (WA)** which can be viewed in its entirety at [https://www.legislation.wa.gov.au/legislation/statutes.nsf/main\\_mrtitle\\_11233\\_homepage.html](https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_11233_homepage.html)
- **Australia New Zealand Food Standards Code** which can be viewed in its entirety at <http://www.foodstandards.gov.au/code/Pages/default.aspx>

**14. Please note that untreated water taken from the environment can be considered to be unsafe for human consumption. Both groundwater and surface water will generally contain dissolved minerals and chemicals, and sometimes microbes, some of which may pose a risk to your health and comfort or be unfit for an intended use. You have to obtain your drinking water from a safe source (treated and tested) where its quality continuously meets health-related drinking water criteria. If you are in doubt, you need to take appropriate precautions by testing your water supply and getting expert advice.**

**Motion put and CARRIED by simple majority**

**6/0**

Cr Mark Mudie absent for the vote

UNCONFIRMED



12.4.2 DEVELOPMENT APPLICATION – MOBILE TRADING LOCATION – LOTS 600 AND 601 (90 AND 92) MORGANS STREET, RAVENSTHORPE

<b>File Reference:</b>	<b>P23-15</b>
<b>Location:</b>	<b>Lots 600 and 601 (90 and 92) Morgans Street, Ravensthorpe</b>
<b>Applicant:</b>	<b>Paul Spencer and Gaby Castro</b>
<b>Author:</b>	<b>Planning Officer</b>
<b>Authorising Officer</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>8 August 2023</b>
<b>Disclosure of Interest:</b>	<b>Paul Spencer as Executive Manager Infrastructure Services</b>
<b>Attachments:</b> <b>LIGHT GREEN</b>	<b>Supporting Documentation, including plans and photographs</b>
<b>Previous Reference:</b>	<b>N/A</b>

---

Executive Manager Infrastructure Services Mr Paul Spencer left the council chambers at 6.20pm.

**PURPOSE**

1. For Council to consider Development Application P23-15 for a Location for Mobile Traders at Lot 600 and 601 (90 and 92) Morgans Street, Ravensthorpe.

**BACKGROUND**

2. Shire of Ravensthorpe received Development Application P23-15 for the location for mobile traders such as food vans to operate from at Lots 600 and 601 (90 and 92) Morgans Street, Ravensthorpe on 6 July 2023. Lots 600 and 601 (90 and 92) Morgans Street, Ravensthorpe are zoned Rural Townsite, and each lot has a lot area of 506 square metres and is developed with a commercial business running across both properties.

As per Local Planning Scheme No. 6, there is no set use for Food Vans or Mobile Traders and thus this proposal is considered an Unspecified Land Use with similarities to a Home Business, Shop and Car Park, none of which have an advertising requirement in the Rural Townsite zone.

**COMMENT**

3. Lots 600 and 601 (90 and 92) Morgans Street, Ravensthorpe are zoned Rural Townsite, and each lot has a lot area of 506 square metres and is developed with a commercial business running across both properties.

Mobile Traders are not a defined use under the Local Planning Scheme, and as such is considered as an unspecified use. Under Clause 3.3.4 of Local Planning Scheme No. 6, The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table -

- d. determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
- e. determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or

- f. determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.

The objectives of the Rural Townsite zone are as follows:

Rural Townsite Zone

- v. To provide for a range of land uses that would typically be found in a small country town.
- vi. To provide a flexible approach to development to encourage the growth of the townsites within the Shire of Ravensthorpe.
- vii. Ensure the existing amenity and character of the townsites within the Shire of Ravensthorpe are retained by ensuring the compatibility of considered land uses.
- viii. Ensure the efficient use of services and infrastructure within the Shire's townsites.

In this instance it is the position of the Planning Officer that the proposed use is consistent with the objectives of the Rural Townsite zone and can be considered without advertising.

Noting that the Itinerant Trading Policy would not apply in this situation as the applicant will be trading from private property strictly under consent of the landowner, refer LPP13.1, it is recommended the Council takes into consideration the policy as a guide to informing itself of the intent of the policy and its relationship to this application:

- The policy enables Council, at the discretion of the CEO, to approve locations other than an approved site so long as they are within 500 metres of the post office. In this case the proposed location is between 200 and 250 metres from the post office.
- Permits will not be issued for itinerant trading within 100m of a competing static business (does not include other itinerant traders at the same opening times and trading in predominantly similar products unless it is in association with an approved event). For clarity, types of food e.g. pizza, hamburgers, fish and chips are not considered similar products. In this instance the application is for a range of mobile traders, not solely food businesses.
- However, lot 600 and 601 has an existing food business operating which is opposite to another commercial food business and therefore the issue of competing static businesses is somewhat mitigated in this circumstance.

The applicant has indicated that mobile traders utilising the site will not have access to the buildings, infrastructure or facilities already on site (such as toilets), however the site is located in close proximity to existing public toilets and as such this is not considered to be an issue. The applicant will need to ensure that mobile traders are aware of the limitations of the site and that mobile traders will need to plan around infrastructure limitations (such as a need to provide their own hot and cold water, hygiene supplies and electricity).

Owing to the nature of the proposal, it is considered appropriate to require the applicant to maintain a register of businesses utilising the site including name of operator, name of business,

time and date of stay, nature of business, hours of operation and contact details. Acknowledging that such businesses are often registered in different shires, Food Businesses should also provide copies of any registrations or permits required under the Food Act to the Shire of Ravensthorpe prior to commencing operation.

Mobile Traders will also need to be advised by the landowner/operator of the mobile trading location that all wastes are to be disposed of appropriately, and the location and limitation of any waste disposal sites.

### **CONSULTATION**

4. The application was referred to the Health Officers for comment due to the proposal potentially including food businesses and the refusal of the applicant to allow access to the buildings and infrastructure on the property. The comments from Health Officers have been included as conditions and advice notes as appropriate.  
As per Local Planning Scheme No. 6, there is no set use for Food Vans or Mobile Traders and thus this proposal is considered an Unspecified Land Use with similarities to a Home Business, Shop and Car Park, none of which have an advertising requirement in the Rural Townsite zone.

### **STATUTORY ENVIRONMENT**

5. Local Planning Scheme No. 6.
6. The applicant has a right of review to the State Administrative Tribunal if aggrieved by any planning decision.
7. It should also be noted that pursuant to Section 211(1) of the *Planning and Development Act 2005*, a person aggrieved by the failure of a local government to enforce or implement effectively the observance of a local planning scheme may make representation to the Minister. If the Minister considers it appropriate to do so, representation may be referred to the State Administrative Tribunal for its report and recommendation. Following subsequent actions and recommendation by the SAT the Minister may order the local government to do all things considered necessary for enforcing the observance of the Scheme or any provisions of the Scheme.

### **POLICY IMPLICATIONS**

8. Nil.

### **FINANCIAL IMPLICATIONS**

9. Application fees totalling \$221.70 were received as part of this application.

### **RISK MANAGEMENT**

10. The following risks have been identified as part of this report;

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
-------------	-------------------	--------------------	----------------------	-------------------

Environmental	<b>Rare</b>	<b>Insignificant</b>	<b>Very Low</b>	Landowner/Operator is to advise businesses operating from the site of locations where wastes (both liquid and solid) can be disposed of legally, as well as locations where hot and cold running water and toilets can be found.
Reputational	<b>Rare</b>	<b>Insignificant</b>	<b>Very Low</b>	Consistency with decision making.

### ALTERNATE OPTIONS

11. The Council may either:

- determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
- determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.

### STRATEGIC ALIGNMENT

12. This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022.

**Outcome 1: Economy** - The population is growing, in tandem with a thriving, resilient local economy

Item	Objectives and Strategies
1.1	To grow business and employment
1.2	The right resources and infrastructure are in place to support local commerce and industry

**Outcome 2: Community** - This is a safe and family-friendly community where people of all ages have access to services and facilities, and there is plenty to blow your socks off

Item	Objectives and Strategies
2.4	People have access to attractive community facilities, activities and events which support activity and health, community involvement and enjoyment of life

**Outcome 3: Built Environment** - The built environment is accessible, honours history and provides for the economic and social needs of residents, industry and visitors

Item	Objectives and Strategies
3.2	New development (including commercial) is of a high quality and contributes positively to the character and appearance of the town
3.3	The towns of the Shire have attractive streetscapes in keeping with local character
3.4	It is easy and safe to move around and in and out of the district

**Outcome 5: Governance and Leadership** - The Shire of Ravensthorpe partners the community, and is an effective advocate and responsible steward

Item	Objectives and Strategies
5.1	The Shire's community is engaged and involved
5.2	The Council ensures its decisions are well informed and considered
5.3	The Council, with the support of the community, is an effective advocate for resources and facilities which support the vision for the future

## VOTING REQUIREMENTS

13. Simple Majority

## COUNCIL DECISION

Moved by Cr Bell,

seconded by Cr Leighton

Resolution 76/23

Cr Bell noted this was a wonderful idea and will add a lot of value to the mainstreet.

**That Council APPROVE Development Application P23-15 for location for mobile traders such as food vans to operate from at Lots 600 and 601 (90 and 92) Morgans Street, Ravensthorpe subject to the following conditions:**

- 1. Development shall be carried out and fully implemented in accordance with the details indicated on the stamped approved plan(s) unless otherwise required or agreed in writing by the Shire of Ravensthorpe.**
- 2. This planning approval relates to the land the subject of the application and the applicant only, and cannot be assigned to any other person or transferred to any other property or premises.**
- 3. The landowner/applicant are to ensure that mobile traders are aware of the limitations of the site and that mobile traders will need to plan around infrastructure limitations (such as a need to provide their own hot and cold water, hygiene supplies and electricity).**
- 4. The landowner/applicant is to maintain a register of businesses utilising the site including name of operator, name of business, time and date of stay, nature of business, hours of operation and contact details. Food Businesses are to provide copies of any registrations or permits required under the Food Act to the Shire of Ravensthorpe prior to commencing operation.**
- 5. The landowner/applicant is to arrange for any inspections required by the Shire of Ravensthorpe for mobile food vans operating from the site (such as Health inspections).**
- 6. All stormwater and drainage run off from all roofed and impervious areas is to be retained on-site to the satisfaction of the Shire of Ravensthorpe.**
- 7. The provision of all services, including augmentation of existing services, necessary as a consequence of any proposed development shall be at the cost of the developer and at no cost to the Shire of Ravensthorpe.**

8. **The development hereby approved must not create community safety concerns, or otherwise adversely affect the amenity of the subject locality by reason of (or the appearance or emission of) smoke, fumes, noise, vibration, odour, vapour, dust, waste water, waste products or other pollutants.**
9. **The landowner and any associated traders responsible for ensuring that all solid and liquid wastes are disposed of legally, does not cause odour nuisance and do not result in excessive amounts of wastes being disposed of via a residential or commercial bin.**
10. **The landowner and any associated traders are responsible for containment and removal off all waste arising from their operations. The site and surrounds must be maintained in a clean manner with all waste removed and legally disposed of.**
11. **Greywater is to be disposed of via the dump point located in Dunn Street or any future location.**
12. **No fixed advertising at Lots 600 and 601 (90 and 92) Morgans Street, Ravensthorpe is included with this approval. A single moveable advertising sign may only be displayed during the operating times of a mobile business at the site. The moveable advertising sign is to be located with the boundaries of Lots 600 and 601 (90 and 92) Morgans Street, Ravensthorpe.**
13. **This approval is valid for a period of 12 months from the date of issuance. Renewal for a period longer than 12 months may be considered by the Shire of Ravensthorpe subject to no complaints being received regarding the operation of mobile traders from the site and the conditions of this approval being adhered to.**
14. **Rubbish receptacles are kept clean and tightly sealed at all times except when refuse is being deposited or emptied, so as to avoid nuisance from smells or attracting pests / rodents.**
15. **Where grease, oil or greasy/oily matter is likely to be discharged, it shall be discharged through a solid arrestor to an approved Class 1 separation system (in accordance with EN858-1). The Class 1 separator system must be maintained in accordance with the manufacturers operation and maintenance manual with a manifest recording all maintenance operations kept on site at all times. Maintenance to be performed every 6 months or whenever the early alert probe is activated.**
16. **Any lighting device is to be so positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries (in accordance with Australian Standard AS4282/1997).**
17. **The location of external fans, compressors, pumps, air conditioning apparatus, swimming pool motors and the like being installed to prevent loss of amenity to the area by its noise, emission or otherwise and in accordance with the Environmental Protection Act 1986, and Environmental Protection (Noise) Regulations 1997.**

18. Prior to commencement of use, a certificate of clearance from an appropriate qualified contractor confirming that all asbestos from the original structure on the site has been removed in accordance with the *Health (Disposal of Asbestos Waste) Regulations 1984* and Worksafe Western Australia Requirements is to be obtained and provided to the Shire of Ravensthorpe. All costs associated with obtaining such a certificate are the responsibility of the landowner and/or applicant as appropriate.

And the following advice notes:

1. The development is to comply with the *Building Code of Australia, Building Regulations* and the *Local Government Act*.
2. It is the responsibility of the developer to search the title of the property to ascertain the presence of any easements and/or restrictive covenants that may apply.
3. Electricity Providers have requested the Shire to advise Applicants that certain restrictions regarding the installation of conductive materials near network assets. Applicants are advised to contact the local electricity providers for the Ravensthorpe region to ascertain whether any restrictions affect their proposed development.
4. The approved development is required to comply with the following legislation (as amended from time to time):
  - *Health (Miscellaneous Provisions) Act 1911*
  - *Work Health and Safety Regulations 2022*
  - *Sewerage (Lighting, Ventilation & Construction) Regulations 1971*
  - *Food Act 2008*
  - *Food Regulations 2009*
  - *Health Act (Laundries and Bathrooms) Regulations 1971*
5. The development is defined as a "Food Business" under the *Food Act 2008*. The development must comply with the *Food Act 2008* and *Food Regulations 2009* and the *Australian New Zealand Food Standards Code*.
6. In accordance with the provisions of the *Food Act 2008* and *Food Regulations 2009* an application to register the food business hereby permitted must be submitted and approved by the Shire of Ravensthorpe (Health Services) prior to the commencement of operations.
7. A food business not connected to an approved water scheme requires a water supply service to the satisfaction of the Shire of Ravensthorpe and will require regular water monitoring to ensure potability and compliance with the Australian Drinking Water Guidelines No 6.
8. The development the subject of this development approval is required to comply with the Shire of Ravensthorpe Health Local Laws.

9. **The developer is to liaise with Shire of Ravensthorpe to determine any requirement for additional approvals for any signage proposed to be erected on site.**
10. **All food traders are required to apply for Food Business Registration.**
11. **An owner or occupier of premises shall not place, throw or leave, or permit or cause to be placed, thrown or left, in, on or about the premises any matter or thing which is liable to attract or be a breeding place for flies, cockroaches, other pests or rodents.**
12. **Please refer to below guidelines and information pertaining to Food Businesses.**
  - ***Food Act 2008 (WA)* which can be viewed in its entirety at**
  - ***Food Regulations 2009 (WA)* which can be viewed in its entirety at**
  - **Australia New Zealand Food Standards Code which can be viewed in its entirety at <http://www.foodstandards.gov.au/code/Pages/default.aspx>)**
13. **Please note that untreated water taken from the environment can be considered to be unsafe for human consumption. Both groundwater and surface water will generally contain dissolved minerals and chemicals, and sometimes microbes, some of which may pose a risk to your health and comfort or be unfit for an intended use. You have to obtain your drinking water from a safe source (treated and tested) where its quality continuously meets health-related drinking water criteria. If you are in doubt, you need to take appropriate precautions by testing your water supply and getting expert advice.**

**Motion put and CARRIED by simple majority**

**6/0**

Cr Mark Mudie absent for the vote

Executive Manager Infrastructure Services Mr Paul Spencer returned to the council chambers at 6.21pm.



12.4.3 DOG ON LEASH, OFF-LEASH AND PROHIBITED AREAS

<b>File Reference:</b>	<b>LE.LL.13</b>
<b>Location:</b>	<b>Shire of Ravensthorpe</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Author:</b>	<b>Acting Executive Manager Development and Community</b>
<b>Authorising Officer</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>08 August 2023</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments: <u>YELLOW</u></b>	<b>Amended Areas Maps</b>
<b>Previous Reference:</b>	<b>NA</b>

---

**PURPOSE**

1. For Council to endorse the dog exercise and prohibited areas, and rural leashing areas proposals revised from public comment received from the second public consultation period carried out from 21 June to 21 July 2023. The amendments to areas are based on community requests to alleviate confusion and to update to contemporary expectations.

**BACKGROUND**

2. The Shire of Ravensthorpe acknowledge the importance of local government in building strong and trusting relationships with the community by operating in a transparent and accountable way, to make fair and equitable decisions that reflect the needs of the community. The Shire initially carried out an online survey to comment on recommended amendments to the Dog Local Law to determine public sentiment on areas which would be classified a prohibited, off-leash (or exercise) and rural leashing areas. This survey received 279 online responses and 3 written responses. On the basis of those results Council elected to endorse a further public consultation period where 8 responses were received based on the updates to the recommended areas.

In accordance with *Dog Act 1976* and in relevance to the district of the Shire of Ravensthorpe, S31 Control of dogs in certain public places, a dog shall not be in a public place unless it is held by a person who is capable of controlling the dog; or securely tethered for a temporary purpose. A dog shall not be in a public place if it's a place where dogs are prohibited. A dog (not dangerous dogs) are exempt if the dog is in a specified dog exercise area, in a public place that is in an area outside a townsite and that is not a rural leashing area; or it is in or on a vehicle.

- S31 (2B) A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a place where dogs are prohibited — (a) at all times; or (b) at specified times.
- S31 (3A) A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a dog exercise area. (5) A local government must specify under subsection (3A) such dog exercise areas as are, in the opinion of the local government, sufficient in number, and suitable, for the exercising of dogs in the district.

- (3B) A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place that is under the care, control or management of the local government to be a rural leashing area.

**COMMENT**

3. The Dogs Amendment Local Law 2022 deletes Part 5 of the previous Dog Local Law 2010, allowing the Council to review areas within the townsites that may prohibit dogs, or specify places that are suitable for off-leash (exercise) dogs. Council can also determine leashing areas in other rural locations in places under the care, control or management of the local government.

Council reviewed the public comments received and recommended changes to the proposed areas as follows;

- a. That the Hopetoun 2 Mile Beach on-leash area be extended to include the public carpark
- b. That rural leashing areas at Starvation Bay will include only the public swimming and boat launch area, and the campsites area.

**CONSULTATION**

- 4. Councillors
  - Executive Team
  - Ranger Team
  - Community survey
  - Public Comment Period

**STATUTORY ENVIRONMENT**

- 5. Dog Act 1976
  - Dogs Amendment Local Law 2022

**POLICY IMPLICATIONS**

- 6. Nil

**FINANCIAL IMPLICATIONS**

- 7. Nil

**RISK MANAGEMENT**

8. The following risks have been identified as part of this report;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational)	Possible	Minor	Low	Information on Shire Website and Facebook Education of Public through ranger team Signage to ensure public are well informed
Financial	Rare	Insignificant	Very Low	Increased signage and provision of dog bags will fit within normal budgeted operations/

Environmental	Rare	Insignificant	Very Low	Areas selected have taken into account nesting areas as well as the safety and amenity of the public
Reputational	Unlikely	Minor	Very Low	Decisions made through extensive public and community consultation process

## ALTERNATE OPTIONS

9. Nil.

## STRATEGIC ALIGNMENT

10. This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022

**Outcome 2: Community** - This is a safe and family-friendly community where people of all ages have access to services and facilities, and there is plenty to blow your socks off

Item	Objectives and Strategies
2.3	People feel that their community is safe for all, free of nuisance and protected from risk of damage
2.4	People have access to attractive community facilities, activities and events which support activity and health, community involvement and enjoyment of life

**Outcome 3: Built Environment** - The built environment is accessible, honours history and provides for the economic and social needs of residents, industry and visitors

Item	Objectives and Strategies
3.4	It is easy and safe to move around and in and out of the district
3.5	The Shire's heritage structures, heritage and cultural places are valued and protected, and are integrated into community life and economic activity.

**Outcome 4: Natural Environment** - Our unique world class biosphere is valued and protected for the enjoyment of current and future generations

Item	Objectives and Strategies
4.1	Maximised resource recovery from waste and safe disposal of residual waste
4.3	The Shire's valued natural areas and systems are protected and enhanced

**Outcome 5: Governance and Leadership** - The Shire of Ravensthorpe partners the community, and is an effective advocate and responsible steward

Item	Objectives and Strategies
5.1	The Shire's community is engaged and involved
5.2	The Council ensures its decisions are well informed and considered

## VOTING REQUIREMENTS

11. Simple Majority

**COUNCIL DECISION**

**Moved by Cr Major,**

**seconded by Cr Leighton**

**Resolution 77/23**

Cr Major thanked acting EMDS Ms Natalie Bell and team for the work put into this item.

**That Council ENDORSE the dog exercise and prohibited areas, and rural leashing areas proposals, with amendments, for determination under the *Shire of Ravensthorpe Dog Local Law 2010*.**

**Motion put and CARRIED by simple majority**

**6/0**

Cr Mark Mudie absent for the vote

UNCONFIRMED

#### 12.4.4 VEHICLES ON BEACHES ACCESSIBLE AND PROHIBITED AREAS

<b>File Reference:</b>	<b>LE.LL.13</b>
<b>Location:</b>	<b>Shire of Ravensthorpe</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Author:</b>	<b>Acting Executive Manager Development and Community</b>
<b>Authorising Officer</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>07 August 2023</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments:</b> <u>GREY</u>	<b>Vehicle on Beaches Proposed Areas</b>
<b>Previous Reference:</b>	<b>N/A</b>

---

#### **PURPOSE**

1. For Council to endorse the vehicle on beaches proposed areas in response to community comments received through a community consultation period held from 21 June to 21 July 2023. The amendments to areas are based on community requests to alleviate confusion and to update to contemporary expectations, considering issues around environmental impact, speed, safety and public recreation.

#### **BACKGROUND**

2. Feedback through the Shire Ranger team and community members identified that there was potential conflict around the *Shire of Ravensthorpe Property Amendment Local Law 2010*, and community expectations and practices in regards to vehicle use on Shire managed reserves and within the townsite.

The Shire of Ravensthorpe acknowledge the importance of local government in building strong and trusting relationships with the community by operating in a transparent and accountable way, to make fair and equitable decisions that reflect the needs of the community. An online survey was initially carried out, this survey received over 1200 responses.

On the basis of this survey, Council reviewed possible amendments and made recommendations for further changes. A further community consultation period was undertaken which allowed community members to provide more detailed reasoning which formed the basis of their expectations. 11 responses were received.

#### **COMMENT**

3. The terms under which the local government can make laws pertaining to vehicle use in non-road areas are contained in the *Shire of Ravensthorpe Property Amendment Local Law 2010*. This state:
  - **“local government property”** means anything except a thoroughfare—
    - (a) which belongs to the local government;
    - (b) of which the local government is the management body under the Land Administration Act 1997, including beaches; or

(c) which is an “otherwise unvested facility” within section 3.53 of the Act

- “vehicle” includes— (a) every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise; “vehicle” does not include an animal being ridden or driven.

Considerations when reviewing the survey results included:

- Erosion management
- Access points
- Danger to other beach users
- Public education
- Impacts to flora and fauna – vegetation, marine life and seabirds nesting sites

Recommendations and comments were reviewed by Council. The following revision to the current proposed changes are:

- Area 6(a) – amend area to extend a ‘speed limited’ area east to the vehicle entrance located at the Hopetoun Caravan Park and west to the Kepler Street carpark.

Amendments made in the initial surveys and also to be included:

- Area 9, 10 and 11 (Masons Bay) – Vehicles to be prohibited within the bollarded area. Vehicles to be speed limited in for the length of the campsite.
- Area 12 (Starvation Bay) Vehicles to be speed limited.

## CONSULTATION

4. Councillors  
 Executive Team  
 On-line public survey  
 Community Consultation Period

## STATUTORY ENVIRONMENT

5. Shire of Ravensthorpe Property Amendments Local Law 2010

## POLICY IMPLICATIONS

6. Nil

## FINANCIAL IMPLICATIONS

7. Nil.

## RISK MANAGEMENT

8. The following risks have been identified as part of this report;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational)	Unlikely	Minor	Very Low	Clear provision of information. A public education programme and additional signage is recommended

Financial	Rare	Insignificant	Very Low	Signage will fall within current budget. Education programme through Ranger team
Environmental	Rare	Insignificant	Very Low	Environmental considerations taken into account, specifically nesting birds. Changes to include speed limiting and prohibiting use in fragile environmental areas.
Reputational	Rare	Minor	Low	Public consulted extensively. Balancing of community expectations

## ALTERNATE OPTIONS

9. Nil.

## STRATEGIC ALIGNMENT

10. This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022

**Outcome 1: Economy** - The population is growing, in tandem with a thriving, resilient local economy

Item	Objectives and Strategies
1.1	To grow business and employment
1.2	The right resources and infrastructure are in place to support local commerce and industry

**Outcome 2: Community** - This is a safe and family-friendly community where people of all ages have access to services and facilities, and there is plenty to blow your socks off

Item	Objectives and Strategies
2.3	People feel that their community is safe for all, free of nuisance and protected from risk of damage
2.4	People have access to attractive community facilities, activities and events which support activity and health, community involvement and enjoyment of life

**Outcome 3: Built Environment** - The built environment is accessible, honours history and provides for the economic and social needs of residents, industry and visitors

Item	Objectives and Strategies
3.4	It is easy and safe to move around and in and out of the district

**Outcome 4: Natural Environment** - Our unique world class biosphere is valued and protected for the enjoyment of current and future generations

Item	Objectives and Strategies
4.3	The Shire's valued natural areas and systems are protected and enhanced

**Outcome 5: Governance and Leadership** - The Shire of Ravensthorpe partners the community, and is an effective advocate and responsible steward

Item	Objectives and Strategies
5.1	The Shire's community is engaged and involved
5.2	The Council ensures its decisions are well informed and considered
5.3	The Council, with the support of the community, is an effective advocate for resources and facilities which support the vision for the future
5.5	The value of community owned assets is maintained

**VOTING REQUIREMENTS**

11. Simple Majority

**COUNCIL DECISION**

**Moved by Cr Richardson, seconded by Cr Livingston Resolution 78/23**

**That Council ENDORSE the changes to the Vehicle on Beaches proposed areas, for determination by Council for inclusion of those areas into the *Shire of Ravensthorpe Property Local Law 2010*.**

**Motion put and CARRIED by simple majority 6/0**

Cr Mark Mudie absent for the vote

UNCONFIRMED



12.4.5 DRAFT CAT LOCAL LAW 2023

<b>File Reference:</b>	<b>LE.LL.1</b>
<b>Location:</b>	<b>Shire of Ravensthorpe</b>
<b>Applicant:</b>	<b>Nil</b>
<b>Author:</b>	<b>Acting Executive Manager Development and Community</b>
<b>Authorising Officer</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>7 August 2023</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments:</b> <u>PINK</u>	<b>Draft Cat Local Law 2023</b>
<b>Previous Reference:</b>	<b>Nil</b>

---

**PURPOSE**

1. For Council to consider and endorse the Draft Shire of Ravensthorpe Cat Local Law 2023 (Cat Local Law) to seek public comment. The Cat Local Law will apply throughout the district of the Shire of Ravensthorpe.

**BACKGROUND**

2. The Shire of Ravensthorpe is recognised as having a high level of native fauna species, with much of the Shire falling within a UNESCO recognised biosphere known as the Fitzgerald Biosphere. Roaming cats and feral cats are seen as having an impact on this native fauna.

Section 79 of the Cat Act 2011 (the Act), provides local governments with the power to make local laws on all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under the Act.

In particular, without limiting the above, section 79(3) of the Act provides that a Cat Local Law may be made as to one or more of the following:

- the registration of cats;
  - a. removing and impounding cats;
  - b. keeping, transferring and disposing of cats kept at cat management facilities;
  - c. the humane destruction of cats;
  - d. cats creating a nuisance;
  - e. specifying places where cats are prohibited absolutely;
  - f. requiring that in specified areas a portion of the premises on which a cat is kept must be enclosed in a manner capable of confining cats;
  - g. limiting the number of cats that may be kept at premises, or premises of a particular type;
  - h. the establishment, maintenance, licensing, regulation, construction, use, record keeping and inspection of cat management facilities;
  - i. the regulation of approved cat breeders, including record keeping and inspection;
  - j. fees and charges payable in respect of any matter under this Act.

The Shire acknowledges that the Cat Local Law does not operate outside the district of the Shire of Ravensthorpe and is inoperative to the extent it is inconsistent with the Act or any other written law.

**COMMENT**

3. The Shire of Ravensthorpe notes that there is a sufficient need for regulation in relation to the points noted above to warrant the introduction of a stand-alone Cat Local Law. The introduction of this Local Law will also necessitate the amendment of the Health Local Law where it pertains to cats in respect of the elements contained within the Cat Local Law.
4. The Cat Local Law will introduce additional elements of cat control and regulation not already covered by the Cat Act 2011, the Cat Regulations 2012, the Cat (Uniform Local Provisions) Regulations 2013, or any other written law that covers the matter. The Shire has also recommended the introduction of targeted education campaigns.

**CONSULTATION**

5. Councillors, Executive Team and Ranger staff.

**STATUTORY ENVIRONMENT**

6. Cat Act 2011  
 Cat Regulations 2012  
 Cat (Uniform Local Provisions) Regulations 2013  
 Local Government Act 1995  
 Shire of Ravensthorpe Health Local Law

**POLICY IMPLICATIONS**

7. G16 Community Engagement Policy and Strategy

**FINANCIAL IMPLICATIONS**

8. Nil.

**RISK MANAGEMENT**

9. The following risks have been identified as part of this report;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational)	Unlikely	Minor	Very Low	Ranger team have had input into the Policy. Training will be undertaken to introduce enforcement and education strategies
Financial	Unlikely	Insignificant	Very Low	Purchase of traps and education campaigns to fall within ongoing budget allowances
Environmental	Possible	Insignificant	Very Low	Increased controls are expected to have a positive environmental effect

Reputational

Unlikely

Insignificant

Very Low

Public notice period and education campaigns prior to introduction.

## ALTERNATE OPTIONS

10. Council considers the existing controls contained in the Health Local Law 2010 are sufficient for matters not already covered by the Cat Act 2011 and Regulations.

## STRATEGIC ALIGNMENT

11. This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022

**Outcome 2: Community** - This is a safe and family-friendly community where people of all ages have access to services and facilities, and there is plenty to blow your socks off

Item	Objectives and Strategies
2.3	People feel that their community is safe for all, free of nuisance and protected from risk of damage
2.4	People have access to attractive community facilities, activities and events which support activity and health, community involvement and enjoyment of life

**Outcome 4: Natural Environment** - Our unique world class biosphere is valued and protected for the enjoyment of current and future generations

Item	Objectives and Strategies
4.3	The Shire's valued natural areas and systems are protected and enhanced

**Outcome 5: Governance and Leadership** - The Shire of Ravensthorpe partners the community, and is an effective advocate and responsible steward

Item	Objectives and Strategies
5.1	The Shire's community is engaged and involved
5.2	The Council ensures its decisions are well informed and considered
5.3	The Council, with the support of the community, is an effective advocate for resources and facilities which support the vision for the future

## VOTING REQUIREMENTS

12. Simple Majority

## COUNCIL DECISION

**Moved by Cr Richardson,**

**seconded by Cr Bell**

**Resolution 79/23**

Cr Bell noted that this is a great idea and very happy to see it come into fruition. Cr Richardson reinforced Cr Bell's comments.

**That Council ENDORSE the Draft Shire of Ravensthorpe Cat Local Law 2023 (Cat Local Law) to go out for public comment.**

**Motion put and CARRIED by simple majority**

**6/0**

Cr Mark Mudie absent for the vote

**13. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**  
Nil

**14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**  
Nil.

**15. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS**  
Nil

**16. CLOSURE**  
The Presiding Member declared the meeting closed at 6.24pm.

UNCONFIRMED