



MINUTES

Ordinary Council Meeting

Tuesday, 17 May 2022

Commencing at 6.00pm

Council Chambers

Hopetoun Community Centre

SHIRE OF RAVENSTHORPE

Minutes for the Ordinary Meeting of Council held in the Council Chambers, Hopetoun Community Centre on Tuesday, 17 May 2022 – commencing at 6.00pm.

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5. Public Question Time

Elizabeth Aberline – Hopetoun

1. Elizabeth submitted a CDF application in 2019 for a Piano, and would like to know what the outcome was?

The Shire President advised that the CDF application was unsuccessful, but Council had agreed to make it a budgeted item.

Cr Major noted that it was included as a budget item for a couple of years but then redirected to higher priorities.

Post note; CEO to investigate to see if it is still a required item.

2. Fishing area – front beach not suitable for fishing as children swim there and it can be dangerous if hooks break off. Could a sign be erected saying No Fishing?

Karen Sinclair – Hopetoun

Water carting – Is it necessary for water to still be carted from Hopetoun to Ravensthorpe after all of the rain we have had?

The Shire President and Cr Major noted that this service is undertaken by Water Corporation and they contracted the works to Hallams - it was not a cost for the Shire. Cr Major noted he had spoken to Hallams and that they had stopped for a time however had recommenced due to the unsettled 'murkiness' of the water in the Ravensthorpe dams brought on by the recent rain event. The Shire to enquire with Water Corporation and respond to the resident.

6. Petitions / Deputations / Presentations / Submissions

Nil.

7. Disclosures of Interest

Nil.

8. Confirmation of Minutes of Previous Meetings

**8.1 Ordinary Council Meeting Minutes 19 April 2022
(Attachment Grey)**

Statutory Environment:

Section 5.22 of the *Local Government Act* provides that minutes of all meeting to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Moved: Cr Major

Seconded: Cr Leighton

Res: 21/22

Decision:

That the Minutes of the Ordinary Meeting of Council held in Council Chambers, Hopetoun Community Centre on Tuesday, 19 April 2022 be confirmed as true and correct.

Voting Requirements: Simple Majority

Carried: 7/0

9. Announcements by the Presiding Member

Nil.

10 Office of the Chief Executive Officer

Nil.

11. Executive Manager Corporate Services

11.1 Monthly Financial Report – 30 April 2022

File Reference:	N/A
Location:	Shire of Ravensthorpe
Applicant:	Nil
Author:	Senior Finance Officer
Authorising Officer	Executive Manager Corporate Services
Date:	10 May 2022
Disclosure of Interest:	Nil
Attachments:	Monthly Financial Reports for April 2022 (Attachment Red)
Previous Reference:	Nil

Summary:

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:

Council is requested to review the April 2022 Monthly Financial Reports.

Comment:

The April 2022 Monthly Financial Reports are presented for review.

Consultation:

Executive Team

Statutory Environment:

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

Policy Implications:

Nil

Financial Implications:

All expenditure has been approved via adoption of the 2020/21 Annual Budget, or resulting from a Council Motion for a budget amendment.

Strategic Implications:

Outcome 5 – Governance and Leadership:
5.5 The Value of Community Assets is Maintained
5.6 Financial Systems are Effectively Maintained

Sustainability Implications:

Nil.

Economic:

There are no known significant environmental considerations.

Social:

There are no known significant environmental considerations.

Risk Implications:

Risk	Low (2)
Risk Likelihood (based on history and with existing controls)	Low (2)
Risk Impact / Consequence	Low (2)
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Low (2)
Risk Action Plan (Controls or Treatment Proposed)	Low (2)

Risk Matrix:

Consequence Likelihood		Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that November flow from it. An effect November be positive, negative or a deviation from the expected and November be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Moved: Cr Richardson

Seconded: Cr Mudie

Res: 22/22

Decision:

1. That Council receive the 30 April 2022 Monthly Financial Reports as presented.

Voting Requirements: Simple Majority

Carried: 7/0

11.2 Schedule of Account Payments – April 2022

File Reference: GR.ME.8
Location: Shire of Ravensthorpe
Applicant: Shire of Ravensthorpe
Author: Finance Officer
Authorising Officer: Executive Manager Corporate Services
Date: 06 May 2022
Disclosure of Interest: Nil
Attachments: Schedule of Payments to 30 April 2022
 Credit Card Transactions to 01 April 2022
 Creditors List of Accounts Paid April 2022
 (Attachment Blue)
Previous Reference: Nil

Summary:

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

Background:

Period 01/04/2022 – 30/04/2022

2021/2022

Month	Cheques	EFT Pymts	Direct Debits	Credit Card	Trust	Total Creditors	Payroll
Jul	9,263	891,041	66,300	17,747	0	984,351	334,350
Aug	10,872	1,244,379	154,795	9,740	0	1,419,785	311,991
Sep	5,146	384,151	86,718	10,136	0	486,151	316,212
Oct	8,906	1,293,209	54,405	6,740	0	1,363,289	324,782
Nov	4,730	1,107,352	62,925	9,057	0	1,184,065	318,387
Dec	8,620	951,403	47,297	7,579	0	1,014,899	432,093
Jan	4,727	637,419	49,806	7,628	0	699,579	296,694
Feb	8,794	678,595	343,599	7,340	0	1,038,327	327,345
Mar	6,661	1,180,524	148,074	7,283	0	1,342,542	319,160
Apr	8,675	800,470	80,901	7,377	0	897,423	313,972
May							
Jun							
Total	76,393	9,168,541	1,094,821	90,656	0	10,430,412	3,294,988
20/21	219,357	8,442,181	965,406	135,103	0	9,762,047	3,790,863
19/20	197,977	8,450,678	997,212	102,791	6,319	9,754,977	3,174,082
18/19	147,967	21,298,438	1,329,904	70,241	13,590	22,860,140	2,219,053
17/18	327,905	18,507,404	209,587	65,010	317,445	19,427,351	2,601,283

Comment:

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

Consultation:

Senior Finance Officer.

Statutory Environment:

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

Policy Implications:

Nil.

Financial Implications:

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

Strategic Implications:

Nil

Sustainability Implications:

- **Environmental:** Not applicable to this specific recurring report.
- **Economic:** Not applicable to this specific recurring report.
- **Social:** Not applicable to this specific recurring report.

Risk Implications:

Risk	Low (2)
Risk Likelihood (based on history and with existing controls)	Low (2)
Risk Impact / Consequence	Low (2)
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Low (2)
Risk Action Plan (Controls or Treatment Proposed)	Low (2)

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Moved: Cr Leighton

Seconded: Cr Richardson

Res: 23/22

Decision:

That Council endorse:

- 1. Pursuant to Regulation 13 of the *Local Government (Financial Management) Regulations 1996*, the payment of accounts for the month of April 2022 be noted**

Voting Requirements: Simple Majority

Carried: 7/0

11.3 Rating Strategy And Differential Rates 2022-2023

File Reference:	RV.RC.001
Location:	Not Applicable
Applicant:	Not Applicable
Author:	Executive Manager Corporate Services
Authorising Officer	Chief Executive Officer
Date:	09 May 2022
Disclosure of Interest:	Nil
Attachments:	Objects and Reasons 2022-2023 (Attachment Yellow)
Previous Reference:	Nil

Summary:

This report recommends Council adopt 2022/2023 differential rates for the purpose of advertising

Background:

Council adopted a system of differential rating for the first time in the 2015/2016 financial year. As part of the budget setting process for 2022/2023 Council will consider a continuation of differential rating, noting that as part of the differential rating process as it stands, ministerial approval will be required prior to rates being struck for the year.

Comment:

Section 6.36 of the *Local Government Act (1995)* allows Council to implement a system of differential rating subject to public advertising, adoption by Council, and approval from the Minister for Local Government, Sport and Cultural Industries, before being applied.

The Act allows for differential rates to be applied to help overcome an issue where the land use within the rating category has a differing contributory cost to Council and therefore rates in the dollar applied are varied. The use of differential rating helps to ensure equity of contribution within the rating system.

In recent years Council has worked extensively to consider present and longer term budget efficiencies firstly through the introduction, for the first time, of an Enterprise Bargaining Agreement 2020 to stabilise wages and allow for better financial controls. Secondly the Shire has just completed a major review of all of its integrated Planning documents to achieve a community consensus of key community service strategies together with a new long term financial plan that sets an agreed rates strategy that was adopted by Council in May 2021.

The budget process uses a zero based budget approach where every line item is examined for the content of last years' actuals to provide a predictive analysis together with the effect of any new initiatives proposed for the coming year. It is not a case of simply adding a percentage to last year's budget.

The objects and reasons for the differential rating model remains consistent from 2021/2022 where Ministerial Approval was last granted, with the exception of clarification in the GRV Commercial category. The GRV Commercial rate objective consists of properties zoned tourism or mixed use with predominantly a commercial or tourism land use. We have clarified tourism land use as including the predominant land use of short stay tourism accommodation within residential areas.

Rating growth during 2021/2022 has been attributed to \$10,936, and in addition the proposed model attached delivers an overall increase in rate income yield for 2022/2023 of approximately 3.5% (a reduction of 0.5% from last year). This percentage increase is in line with that adopted in the long term financial plan rating strategy.

The Valuer General has provided GRV revaluations this year for the first time since 2015 along with annual UV revaluations, and advised that in summary the average overall change in

valuation was an increase of 17.94 %. Rates in the dollar have been adjusted in all categories to maintain a yield increase of 3.5% compared to last year's dollar yield. The yield increase will be slightly distorted by an increase in 10 properties on minimum rates.

Changes in valuation attributed to the various rating categories are as follows Residential +12%; Rural UV +18%; Commercial -16%; Industrial +20.2%; Transient Accommodation +17.3%. It is also noted that at the time of preparing this report the Valuer General is still to provide revaluations for UV Mining tenements.

Key elements of the 2022/2023 Rating Strategy are that rate increases have been aligned in consideration of the extensive community consultation in 2020 and 2021, together with the newly adopted Integrated Planning Suite of documents for 2020-2030. The Shire will be using this suite of documents to deliver on the clear priorities, processes, plans, budget resource priorities, direction on land use, infrastructure, services, asset management, operations, planning and workforce requirements.

This comprehensive community consultative approach was commended 14 April 2021 by the Department of Local Government, Sport and Cultural Industries, Executive Director Local Government, Tim Fraser, in a pilot project to develop tools and resources for Integrated Planning and Reporting (IPR) for smaller local governments. In this regard Tim acknowledged, with appreciation, the Shire's willingness to adopt and share a leading approach to IPR.

The proposed rates in the dollar for 2022/2023 are outlined below and in the attached model:

RATING CATEGORY	2021/22 RATE Cent in \$	2022/23 RATE Cent in \$
GRV Residential	12.1852	11.2618
GRV Commercial	13.6830	16.8599
GRV Industrial	16.0610	13.8256
GRV Transient Workforce / Short Stay	32.7462	28.9034
Unimproved Valuation	0.007010	0.006149
UV Mining Tenements	0.085930	0.088935
Minimum Rates		
GRV Residential/Commercial/Industrial	\$905	\$937
GRV Transient Workforce / Short Stay	\$884	\$915
Unimproved Valuation	\$884	\$915
UV Mining Tenements	\$333	\$345

Consultation:

Nil

Statutory Environment:

Local Government Act 1995 - Sections 6.33, 6.35 and 6.36.

Policy Implications:

Nil

Financial Implications:

It is estimated the overall rate yield, based on the proposed rates in the dollar, in 2022/2023 will be \$4.82 million

Strategic Implications:

Outcome 5 – Governance and Leadership:

5.5 The Value of Community Assets is Maintained

5.6 Financial Systems are Effectively Maintained

Sustainability Implications:

Environmental: There are no known significant environmental considerations.

Economic: There are no known significant environmental considerations.

Social: There are no known significant social considerations.

Risk Implications:

Risk	Low (2)
Risk Likelihood (based on history and with existing controls)	Low (2)
Risk Impact / Consequence	Low (2)
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Low (2)
Risk Action Plan (Controls or Treatment Proposed)	Low (2)

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Moved: Cr Mudie

Seconded: Cr Livingston

Res: 24/22

Decision:

That Council

- 1. Endorse for advertising the following differential rates across all categories to form the basis of the proposed rate setting for the 2022/2023 budget.**

	Cost in \$	Minimum
GRV Residential	0.112618	\$937.00
GRV Commercial	0.168599	\$937.00
GRV Industrial	0.138256	\$937.00
GRV – Transient Workforce Camps / Short Stay Accommodation	0.289034	\$915.00
UV - Rural	0.006149	\$915.00
UV – Mining	0.088935	\$345.00

- 2. Adopt the Objectives and Reasons for the Proposed Differential rates for 2022/2023**
- 3. Authorise the Chief Executive Officer to advertise the differential rates and call for public submissions in accordance with Section 6.36 of the Local Government Act 1995 for a minimum of 21 days**
- 4. Authorise the Chief Executive Officer to make application to seek Ministerial approval under Section 6.33 of the Local Government Act 1995 to impose differential rates that are more than twice the lowest differential rate being imposed.**

Voting Requirements: Simple Majority

Carried: 7/0

12. Executive Manager Infrastructure Services

Nil.

13. Executive Manager Development and Community

13.1 Planning Application P22-12 – Proposed Outbuilding (Shed) At Lot 517 (10) Culham Street, Hopetoun

File Reference:	P22-12
Location:	Lot 517 (10) Culham Street, Hopetoun
Applicant:	W Heaslip
Author:	Planning Officer Consultant – Shire of Ravensthorpe
Authorising Officer	Planning Manager Consultant – Shire of Ravensthorpe
Date:	4 April 2022
Disclosure of Interest:	Nil
Attachments:	Plans (Attachment Green)
Previous Reference:	N/A

Summary:

For Council to consider Development Application P22-12 for an Outbuilding (Shed) at Lot 517 (10) Culham Street, Hopetoun.

Background:

Shire of Ravensthorpe received Development Application P22-12 for an Outbuilding (Shed) at Lot 517 (10) Culham Street, Hopetoun on 4 April 2022.

Due to a number of variations to the provisions of the *Residential Design Codes* and Local Planning Policy: Outbuildings (namely to side and rear setbacks, maximum site area, maximum wall height and maximum ridge height for Outbuildings), the application was referred to adjoining landowners between 4 April 2022 and 29 April 2022 with no comments or objections being received.

As per the provisions of Local Planning Policy: Outbuildings, as a variation is proposed to the provisions of Local Planning Policy: Outbuildings the application is to be determined by Council.

Comment:

Background:

Lot 517 (10) Culham Street, Hopetoun is zoned Residential R10/20 with a lot size of 905 square metres. The property is developed as a single house.

Assessment:

The only variations to the *Residential Design Codes* are in regards to the side and rear setback criteria, with a 900mm side and rear setback proposed where a 1000mm (1 metre) side and rear setback is required.

The proposal calls for an Outbuilding (Shed) with dimensions 9.5 by 10 metres for a total size of 95 square metres, a wall height of 3.5 metres and a ridge height of 4.423 metres

The maximum site area for Outbuildings in the Residential zone is 60 square metres, with 95 square metres of Outbuilding being proposed.

The maximum wall height for Outbuildings in the Residential zone within 1.0 metres of a boundary is 2.4 metres. A 3.5 metre wall height is proposed.

The maximum ridge height for Outbuildings in the Residential zone within 1.0 metres of a boundary is 3.9 metres. A 4.423 metre ridge height is proposed.

As per the provisions of Local Planning Policy: Outbuildings, Council is to have regard for matters such as:

1. The visibility of the proposed outbuilding(s) as viewed from a street, public space or neighbouring property;
2. The need for removal of any native vegetation or major trees;
3. Comments from affected neighbours/landowners;
4. Preservation of useable on site open space areas;
5. The ability for the outbuilding(s) to be screened by existing or proposed landscaping;
6. Whether support for the application will set an undesirable precedent for similar sized surrounding lots;
7. The impact of the development on streetscape and the character of the area;
8. The objectives of the zone;
9. All relevant general matters as set out in Clause 67 of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2); and
10. Any other matter considered relevant by the Council.

In regards to these criteria, Planning Officers advise the following:

1. While the Outbuilding will be visible from the street from certain angles, the size of the Outbuilding will not be detrimental to the visual amenity in the locality or to adjoining landowners;
2. The site is predominantly cleared and as such there is negligible need/requirement to remove native vegetation or major trees;
3. The adjoining landowners declined to provide comment as a result of neighbour referral letters;
4. There will still be sufficient open space to comply with *Residential Design Codes* criteria for provision of open space on a Residential zoned properties;
5. The proposed setbacks mean that it may be possible to use vegetation to screen the Outbuilding from view;
6. The Outbuilding does not set an undesirable precedent.
7. The impact from the proposed Outbuilding on the streetscape and surrounding area will be similar to an Outbuilding of maximum compliant size due to the small scale of the proposed variations;
8. The proposed Outbuilding is compliant with the objectives of the Residential zone;
9. The proposal is either compliant or proposes only a minor variation from the general matters set out in Clause 67 of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015;

As the proposal is for a significant variation to the provisions of Local Planning Policy: Outbuilding, impact on adjoining properties will be mitigated by the location of the Outbuilding. The size of the Outbuilding is out of character with other properties in the locality, however it is acknowledged that there is a demand for larger Outbuildings.

It is the position of Planning Officers that the proposal should be approved subject to conditions.

Response to Applicants Justification:

The applicant has not provided any justification for the large size of the Outbuilding.

Consultation:

The application was referred to adjoining landowners between 4 April 2022 and 29 April 2022 with no comments or objections being received.

Statutory Environment:

Local Planning Scheme No. 6

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

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:

None

Financial Implications:

Application fees totalling \$147.00 were received as part of this application.

Strategic Implications:

Nil

Sustainability Implications:

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

Risk Implications:

Risk	Low (2)
Risk Likelihood (based on history and with existing controls)	Low (2)
Risk Impact / Consequence	Low (2)
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Low (2)
Risk Action Plan (Controls or Treatment Proposed)	Low (2)

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Moved: Cr Livingston

Seconded: Cr Major

Res: 25/22

Decision:

That Development Application P22-12 for an Outbuilding (Shed) at Lot 517 (10) Culham Street, Hopetoun be approved subject to the following conditions:

- 1. Development shall be carried out in full and fully implemented in accordance with the approved plans and details submitted with the planning application.**
- 2. During construction stage, adjoining lots are not to be disturbed without the prior written consent of the affected owner(s).**
- 3. The approved outbuilding(s) shall be used for purposes incidental and ancillary to the enjoyment of the dwelling on the land only, and shall not be used for human habitation, commercial or industrial uses without the express written permission of the Shire of Ravensthorpe.**
- 4. 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.**
- 5. 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.**
- 6. 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.**
- 7. The works involved in the implementation of the development must not cause sand drift and/or dust nuisance. In the event that the Shire of Ravensthorpe is aware of, or is made aware of, the existence of a dust problem, measures such as installation of sprinklers, use of water tanks, mulching, or other land management systems as appropriate may be required to be installed or implemented to prevent or control dust nuisance, and such measures shall be installed or implemented within the time and manner directed by the Shire of Ravensthorpe.**
- 8. All fencing shall be in accordance with Shire of Ravensthorpe Local Planning Policy: Fencing.**
- 9. The proposed operations, during and after construction, are required to comply with the *Environmental Protection (Noise) Regulations 1997*.**

And the following advice notes:

- 1. THIS IS NOT A BUILDING PERMIT. An application for a building permit is required to be submitted and approved by the Shire of Ravensthorpe prior to any works commencing on-site.**
- 2. The development is to comply with the *Building Code of Australia, Building Act 2011, Building Regulations 2012* and the *Local Government Act 1995*.**

3. 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.
4. It is the responsibility of the applicant to ensure that building setbacks correspond with the legal description of the land. This may necessitate re-surveying and re-pegging the site. The Shire of Ravensthorpe will take no responsibility for incorrectly located buildings.
5. The Shire of Ravensthorpe strongly recommends that the vehicle parking, manoeuvring and circulation areas be suitably constructed, sealed (asphalt, concrete or brickpavers), drained and thereafter maintained to facilitate access to the property and Outbuilding (Shed).
6. The Department of Water and Environment Regulation has prepared dust control guidelines for development sites, which outline the procedures for the preparation of dust management plans. Further information on the guidelines can be obtained from the Department of Water and Environment and Regulation's website www.dwer.wa.gov.au under air quality publications.

Voting Requirements: Simple Majority

Carried: 7/0

14. Elected Members Motions of Which Previous Notice Has Been Given

Nil.

15. New Business or Urgent Business Introduced by Decision of the Meeting

New business of an urgent nature introduced by decision of the meeting. Best practice provides that Council should only consider items that have been included on the Agenda (to allow ample time for Councillors to research prior to the meeting) and which have an Officer Report (to provide the background to the issue and a recommended decision).

15.1 Elected Members

Nil.

15.2 Officers

Nil.

16. Reports of Committees of Council

- Audit Committee Full Council
- Bushfire Advisory Committee Member – Cr Major
Deputy – Cr Mudie
- CEO Performance Review Committee Member – President
Member – Deputy President
Member – Cr Mudie

17. Reports of Council Delegates on External Committees

- Great Southern Regional Road Group Delegate – Cr Mudie
Proxy – Cr Major

Cr Mudie attended Great Southern Regional Road Group Meeting - 29 April 2022 in Ravensthorpe.

Discussion regarding South Coast Hwy & bridge on Springdale road. Date to be confirmed on bridge works and affected residents to be notified.

Works need to be completed within time frames to secure funding for the next year.

Shire was awarded a certificate for being the first Shire to submit all of our reports. Cr Mudie wanted to thank all of the staff involved for being efficient, dedicated and doing a great job.

- Local Emergency Management Committee (LEMC) Delegate – President
Proxy – Deputy President
- Development Assessment Panel (DAP) Delegate – Cr Leighton
Delegate – Cr Major
Proxy – Mudie
Proxy – Richardson
- Hopetoun Progress Association Delegate – Cr Richardson
Proxy – Cr Dunlop
- Munglinup Community Group Delegate – Cr Leighton
Proxy – Cr Livingston
- Community Liaison Committees Delegate – President
Delegate – Deputy President
Proxy – CEO
Proxy – DCCS
- Hopetoun Community Resource Centre Delegate – Cr Leighton
Proxy – Cr Richardson
- Ravensthorpe Community Resource Centre Delegate – Cr Livingston
Proxy – Cr Bell

RCRC was successful in receiving a STEM grant to run two pollination workshops.

- | | |
|---|--|
| • South Coast WALGA Zone | Delegate – President
Proxy – Deputy President |
| • Fitzgerald River National Park | Delegate – Cr Richardson
Proxy – Cr Mudie |
| • Ravensthorpe Agricultural Initiative Network (RAIN) | Delegate – Cr Major
Proxy – Cr Mudie |
| • Fitzgerald Biosphere Implementation Group | Delegate – Cr Leighton
Proxy – Cr Bell |
| • Hopetoun Recreation Management (HDRA) | Delegate – Cr Dunlop
Proxy – Cr Richardson |
| • Ravensthorpe Historical Society | Delegate – Cr Bell
Proxy – Cr Major |

18. Reports from Councillors

Cr Keith Dunlop (President)

Attended the Dawn Service in Hopetoun and laid the wreath on behalf of the Shire of Ravensthorpe.

Cr Sue Leighton

Attended the Fitzgerald Biosphere Community Collective meeting. The group reviewed its strategic plan. Positive with what is happening at the moment.

Provided update on the upcoming Ravensthorpe Wildflower Show scheduled for September 2022.

Everlastings have been sown at the main Ravensthorpe round-about and various sites around town.

Cr Julia Bell

Cr Bell attended the Ravensthorpe ANZAC Service and laid a wreath and spoke on behalf of the Shire of Ravensthorpe. Also attended the recent RAIN small landholder's workshop.

Cr Rachel Livingston

Nil.

Cr Thomas Major

Nil.

Cr Mark Mudie

Nil.

Cr Graham Richardson

Nil.

19. Matters Behind Closed Doors

Moved: Cr Mudie

Seconded: Cr Livingston

Res: 26/22

Decision:

That the meeting be closed to members of the public for this item in accordance with section 5.23 (2) of the *Local Government Act 1995* as the following subsection applies:

- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
and**
- (e) a matter that if disclosed, would reveal —**
 - (i) a trade secret; or**
 - (ii) information that has a commercial value to a person; or**
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government**

Voting Requirements: Simple Majority

Carried: 7/0

6.26pm Council went behind closed doors and the gallery left the chambers and did not return to the meeting.

19.1 Floater Road Diversion – Replacement Deed of Agreement

File Reference:	ED.ID.4
Location:	Floater Road
Applicant:	Galaxy Lithium Australia Pty Ltd
Author:	A/Executive Manager Infrastructure Services
Authorising Officer	A/Executive Manager Infrastructure Services
Date:	11 May 2022
Disclosure of Interest:	Nil
Attachments:	<u>Confidential Item</u> -provided under separate cover to Council Replacement Road Diversion Deed and Attachment D – Construction Plans (Attachment Pink)
Previous Reference:	N/A

Summary:

A Deed of Agreement that serves the interests of the Shire of Ravensthorpe has been prepared and included as a confidential attachment.

Background:

The diversion of Floater Road is necessary to enable expansion of the Mt Cattlin Mine by Galaxy Lithium Australia Pty Ltd.

Comment:

The Replacement Deed of Agreement incorporates the requirement of the earlier (4 September 2018) Road Diversion Deed that Galaxy Lithium Australia Pty Ltd will reinstate at its cost any portion of Floater Road removed as a result of its mining operations. That it will do so within 3 years of completing its mining operations. Refer clause 3.8 of the Replacement Deed of Agreement.

The replacement Deed of Agreement is confidential as it concerns matters of commercial in confidence.

Consultation:

The Replacement Road Diversion Deed of Agreement has been jointly prepared by Shire of Ravensthorpe Executive Team assisted by the Shire's Legal Counsel together with Galaxy Lithium Australia Pty Ltd represented by Keith Muller (Business Leader – Australian Asset) and his Legal Counsel.

Statutory Environment:

Galaxy Lithium Australia Pty Ltd will construct the diversion of Floater Road as would a Developer in accordance with the Shire of Ravensthorpe statutory requirements.

Policy Implications:

None.

Financial Implications:

Nil.

Strategic Implications:

Nil.

Sustainability Implications:

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

Risk Implications:

Risk	Low (2)
Risk Likelihood (based on history and with existing controls)	Low (2)
Risk Impact / Consequence	Low (2)
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Low (2)
Risk Action Plan (Controls or Treatment Proposed)	Low (2)

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or

extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Recommendation:

That Council

- 1. Endorse the Replacement Deed of Agreement as presented in the Confidential Attachment to this report, and**
- 2. Council authorise the Shire President and Chief Executive Officer to execute the Replacement Deed of Agreement.**

Voting Requirements: Simple Majority

Amended Motion

Moved: Cr Major

Seconded: Cr Mudie

Res: 27/22

Decision:

That Council

- 1. Endorse the Replacement Deed of Agreement as presented in the Confidential Attachment to this report, subject to clarification on the definition of Designated Road in section 3.8 as being Old Floater Road.**
- 2. Council authorise the Shire President and Chief Executive Officer to execute the Replacement Deed of Agreement.**

Voting Requirements: Simple Majority

Carried: 7/0

Reason for Amendment-

Council were unclear on what road was being referenced when using the term Designated Road within the Replacement Deed of Agreement. They would like the deed to clarify the actual name of the road as Old Floater Road and have a record kept on file as a reference for future staff and Councillors.

Moved: Cr Richardson

Seconded: Cr Leighton

Res: 28/22

Decision:

That Council move out from behind closed doors and the meeting be declared reopened to the public.

Voting Requirements: Simple Majority

Carried: 7/0

20. Closure of Meeting

The Presiding Member declared the meeting closed 6.42pm.

A handwritten signature in black ink, appearing to read 'K. A. D. unby', is written in a cursive style.

