



Minutes **(Unconfirmed)**

Ordinary Meeting of Council
Tuesday, 19 September 2023



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NOTICE OF MEETING

Notice is hereby given that the

Shire of Ravensthorpe

Ordinary Council Meeting

will be held on
Tuesday, 19 September 2023
commencing at 6.00pm

Council Chambers
Ravensthorpe Cultural Precinct
Ravensthorpe

Matthew Bird
Chief Executive Officer

Disclaimer

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

Please note this agenda contains recommendations which have not yet been adopted by Council.

No responsibility whatsoever is implied or accepted by the Shire of Ravensthorpe for any act, omission, statement or intimation occurring during the Council/Committee meetings or during formal/informal conversations with staff. The Shire of Ravensthorpe disclaims any liability for any loss whatsoever and however caused arising out of reliance by any person or legal entity on any such act, omission, statement or intimation. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broader disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Ravensthorpe during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Ravensthorpe. The Shire of Ravensthorpe warns that anyone who has an application lodged with the Shire of Ravensthorpe must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attached to the decision made by the Shire of Ravensthorpe in respect of the application.

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DISCLOSURE OF INTEREST FORM
(Elected Members/Committee Members/Employees/Contractors)

Local Government Act 1995 (Section 5.65, 5.70, 5.71 & 5.71(B))

To: Chief Executive Officer

Name _____

Elected Member Committee Member Employee Contractor

- Ordinary Council Meeting held on _____
- Special Council Meeting held on _____
- Committee Meeting held on _____
- Other _____

Report No _____

Report Title _____

Type of Interest (**see overleaf for further information*)

Proximity Financial Impartiality

Nature of Interest

Extent of Interest (if intending to seek Council approval to be involved with debate and/or vote)

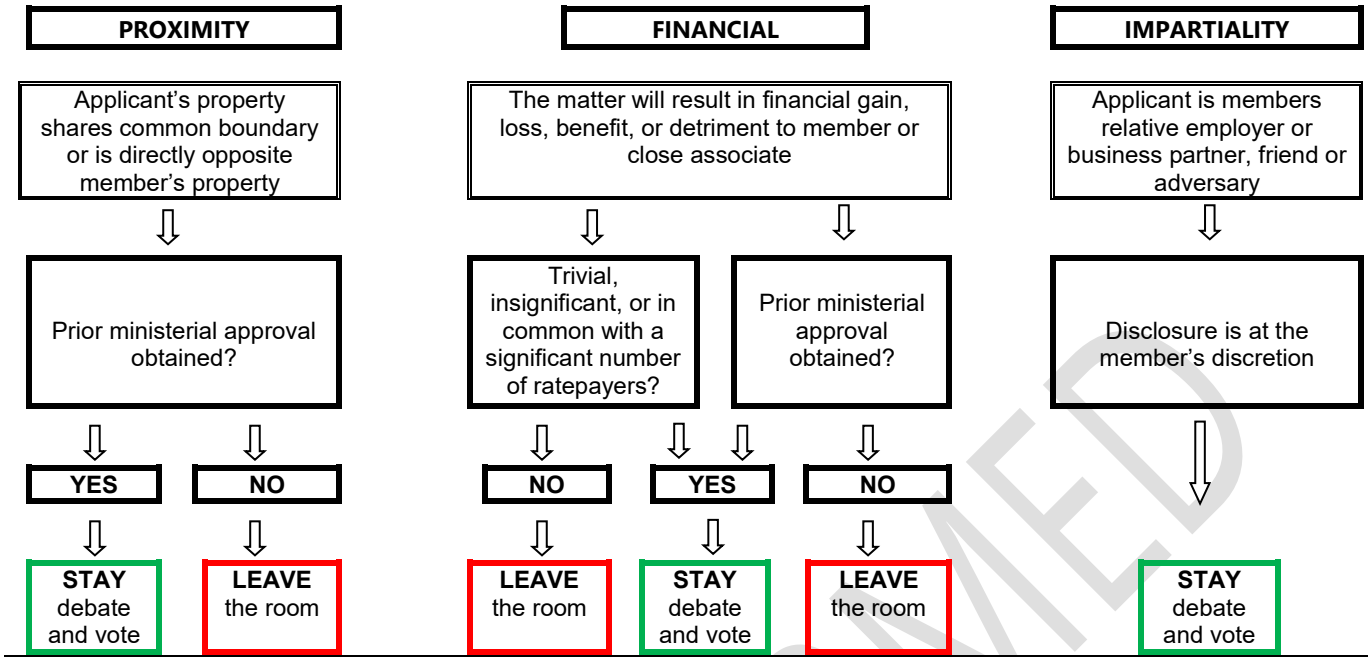
Signed: _____ Date: _____

- **Note 1** - Elected Members/ Committee Members/Employees refer to the Disclosure of Interest Declaration card when disclosure is being read out at Council or Committee Meeting.
- **Note 2**: For Ordinary meetings of the Council, elected members and employees are requested to submit this completed form to the Chief Executive Officer prior to the meeting. Where this is not practicable, disclosure(s) must be given to the Chief Executive Officer prior to the matter being discussed.
- **Note 3**: Employees or Contractors disclosing an interest in any matter apart from at meetings, where there is a conflict of interest including disclosures required by s5.71 are required to submit this form to the CEO as soon as practicable.

CEO: _____ Signed: _____ Date: _____

OFFICE USE ONLY	
<input type="checkbox"/> Particulars recorded in Minutes	<input type="checkbox"/> Particulars recorded in Register

* Declaring an Interest



Local Government Act 1995 – Extract

s.5.60A - Financial Interest

A person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

s.5.60B – Proximity Interest

A person has a proximity interest in a matter if the matter concerns —

- (a) a proposed change to a planning scheme affecting land that adjoins the person's land; or
- (b) a proposed change to the zoning or use of land that adjoins the person's land; or
- (c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.

5.65 - Members' interests in matters to be discussed at meetings to be disclosed.

(1) A member who has an interest in any matter to be discussed at a council or committee meeting that will be attended by the member must disclose the nature of the interest:

- (a) in a written notice given to the CEO before the meeting; or (b) at the meeting immediately before the matter is discussed. (Penalties apply).
- (2) It is a defence to a prosecution under this section if the member proves that he or she did not know:
 - (a) that he or she had an interest in the matter; or (b) that the matter in which he or she had an interest would be discussed at the meeting.
- (3) This section does not apply to a person who is a member of a committee referred to in section 5.9(2)(f).

5.70 - Employees to disclose interests relating to advice or reports.

(1) In this section: 'employee' includes a person who, under a contract for services with the local government, provides advice or a report on a matter.

- (2) An employee who has an interest in any matter in respect of which the employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when giving the advice or report.
- (3) An employee who discloses an interest under this section must if required to do so by the council or committee, as the case may be, disclose the extent of the interest. (Penalties apply).

5.71 - Employees to disclose interests relating to delegated functions.

If, under Division 4, an employee has been delegated a power or duty relating to a matter and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and:

- (a) in the case of the CEO, must disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter; and (b) in the case of any other employee, must disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter. (Penalties apply)

5.71A. - CEOs to disclose interests relating to gifts in connection with advice or reports

- (1) A CEO who has an interest relating to a gift in a matter in respect of which the CEO proposes to provide advice or a report, directly or indirectly, to the council or a committee must disclose the nature of the interest in a written notice given to the council.
- (2) A CEO who makes a disclosure under subsection (1) must not provide the advice or report unless the CEO is allowed to do so under section 5.71B(2) or (6).
- (3) A CEO who has an interest relating to a gift in a matter in respect of which another employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when the advice or report is provided.

Local Government (Administration) Regulations 1996 – Extract - In this clause and in accordance with Regulation 19AA "Interest" means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an association.

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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 6.00pm.

The Shire President acknowledged the Traditional Owners of the land on which we meet, and pays 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 Rachel Livingston (via Electronic Attendance)
Cr Mark Mudie
Cr Graham Richardson

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

Geoff Vivian (Esperance Weekender)

APOLOGIES

Meredith Lee Curtis (Executive Assistant)

LEAVE OF ABSENCE

Nil.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTIONS TIME

Nil

5. DECLARATIONS OF INTEREST

Councillor Livingston Declared an interest for Agenda Item 12.1.1.

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 ORDINARY COUNCIL MEETING MINUTES 15 AUGUST 2023

(Attachment YELLOW)

Statutory Environment:

Section 5.22 of the *Local Government Act 1995* 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 by Cr Bell, Seconded by Cr Leighton

Resolution: 80/23

That the Minutes and associated attachments of the Ordinary Meeting of the Shire of Ravensthorpe held on 15 August 2023 be confirmed as a true and correct record.

Motion put and CARRIED by Simple Majority

7/0

8. ANNOUNCEMENTS/REPORTS BY ELECTED MEMBERS

Cr Leighton

- Attended the Ravensthorpe Cultural Precinct opening, great space, and really enjoyed the event. Great to have Shelley Payne and Peter Rundle attend and good idea to stage with the wildflower show opening.
- Attended the Ravensthorpe Wildflower Show opening and still very busy with the delivery of the wildflower show event and activities.

Cr Richardson

- Attended the Ravensthorpe Cultural Precinct and the Ravensthorpe Wildflower Show openings
- Attended Councillor visit to the Hopetoun Caravan Park site inspection
- Attended two Hopetoun Progress Association meetings
- Attended the Local Government Elections candidate briefing session in Hopetoun

Cr Major

- Attended the Bush Fire Advisory Committee (BFAC) meeting and reported to Council on major BFAC resolutions passed. Namely improved effectiveness of the Operational Working Group, changes to unrestricted burning periods, unsuccessful LGSS applications, the need

for more advocacy re resourcing, changes to Council's BFAC policy, response to Council's resolution 69/23. Congratulated and thanked Keith Rowe for his efforts as chair of the BFAC. *CEO stated minutes from the BFAC will be tabled for Council review at next OCM in October.*

- Attended the Ravensthorpe Cultural Precinct and the Ravensthorpe Wildflower Show openings
- Attended Councillor visit to the Hopetoun Caravan Park site inspection
- Attended Allkem Town Hall community meeting
- Attended the Local Government Elections candidate briefing session in Ravensthorpe
Cr Richardson asked who is one the BFAC OWG. Cr Major replied the Chief BFCO, 3 Deputy Chief BFCOs, 2 FCOs, Shire Executive Manager Community & Development, Community Emergency Services Manager.

Cr Livingston

- Attended Councillor visit to the Hopetoun Caravan Park site inspection
- Met with Ravensthorpe Tai Chi group – fantastic response to new facility.

Cr Bell

- Attended the Ravensthorpe Cultural Precinct and the Ravensthorpe Wildflower Show openings. Great to have Harley and Annie do welcome to country, Steve Hopper's presentation was very insightful.
- Attended Councillor visit to the Hopetoun Caravan Park site inspection. Very supportive of Travis and the Daw family efforts for the community.
- Attended Allkem Town Hall community meeting.
- Attended Mt Barren Café dinner event.
- Attended Cocanarup Conservation Alliance meeting.
- Thanked the Shire for supporting her undertaking of Diploma in Local Government. Attended WALGA asset management training in Perth.

Cr Mudie

- Attended the Ravensthorpe Cultural Precinct and the Ravensthorpe Wildflower Show openings.
- Attended RAIN Spring field day event. It was a good day put on by the new RAIN executive officer and team.

Cr Dunlop

- Attended the Ravensthorpe Cultural Precinct and the Ravensthorpe Wildflower Show openings.

9. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil.

11. MATTERS ARISING FROM COMMITTEES OF COUNCIL

Nil.

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12. REPORTS OF OFFICERS

12.1 EXECUTIVE SERVICES

12.1.1 MEDICAL SERVICES AGREEMENT

File Reference:	PH.SP.7
Location:	Shire of Ravensthorpe
Applicant:	Shire of Ravensthorpe
Author:	Chief Executive Officer
Authorising Officer	Chief Executive Officer
Date:	13 September 2023
Disclosure of Interest:	Cr Livingston
Attachments: RED	Confidential Attachment – Draft Deed of Variation
Previous Reference:	Confidential Item October 2021 SCM Resolution number 117/21

Cr Livingston left the meeting at 6.16pm

The Draft Deed of Variation is treated as a Confidential Attachment in accordance with section 5.23 (2) of the Local Government Act 1995 as the following subsection applies: e) a matter that if declared, would reveal iii) information about the business, professional, commercial, financial affairs of a person.

PURPOSE

1. For Council to consider varying the Medical Services Agreement with Livingston Medical Pty Ltd (Livingston Medical) as per Confidential Attachment.

BACKGROUND

2. The Shire entered the original medical services agreement with Livingston Medical Pty Ltd in March 2016 and a second agreement in 2021 via Council resolution 117/21 at the 5 October 2021 Special Council Meeting as per below:

Moved: Cr Richardson Seconded: Cr Leighton

Res: 117/21

Decision:

That Council enter into an Agreement with Livingston Medical Pty Ltd as per the Medical Service Deed attached for the provision of Medical Services.

Voting Requirements:

Absolute Majority Carried: 6/0

3. The draft Deed of Variation is presented for consideration by Council to reflect the proposed changes to the service delivery agreement.
4. The key changes relate to the removal of prescribing individuals as Medical Practitioners within the Agreement for delivery of the service.
5. If the draft Deed is endorsed by Council, Dr Michael Livingston will no longer be the prescribed medical practitioner in the Shire of Ravensthorpe agreement.

6. Livingston Medical are widening their practice to multiple regional WA locations and expanding their team of qualified Medical Practitioners.
7. Livingston Medical presented to Council at the 5 September 2023 Corporate Discussion meeting outlining their service delivery plans.

COMMENT

8. Livingston Medical have provided a high standard of medical care to the Ravensthorpe community since 2016 via the Shire’s Medical Service Agreements and have consistently provided services above the required minimum levels as per the agreement.
9. Livingston Medical are strong advocates for rural health medicine and their service delivery program within the Shire of Ravensthorpe is widely considered as industry best practice.
10. The expansion of the team of qualified Medical Practitioners within Livingston Medical is considered a major strength of their approach and should deliver increased benefits to the Ravensthorpe community, by having a larger pool of practitioners, rather than having a single GP.

CONSULTATION

11. Councillors, Livingston Medical presented to Council on their proposed approach at the September 2023 Corporate Discussion.
12. Shire Executive team.
13. Livingston Medical have reviewed the draft Deed and they have advised that they are supportive of the Deed as provided.

STATUTORY ENVIRONMENT

14. Local Government Act 1995.

POLICY IMPLICATIONS

15. Nil

FINANCIAL IMPLICATIONS

16. There are no material financial changes within the draft Deed of Variation to the current arrangement.

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational); the lack of a residential Medical Practitioner can severely impact community liveability	Almost certain	Major	Extreme	Council endorses entering into sustainable service level agreements with suitably qualified medical practitioners
Performance (operational); contractual arrangements with individual Medical	Possible	Major	High	Revising the current agreement to access a team of qualified medical practitioners improves

Practitioners have high inherent risks				certainty and reliability around service delivery
Reputational; the lack of a reliable local Medical Service can significantly impact the reputation of the destination as a place to live.	Likely	Major	High	The Shire has and continues to provide strong support for medical services within the Shire noting its importance to community liveability

ALTERNATE OPTIONS

18. Council may decide not to endorse the draft Deed of Variation as presented, and/or make amendments to the draft Deed.

STRATEGIC ALIGNMENT

19. 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 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 REQUIREMENT

20. Absolute Majority

COUNCIL DECISION

Moved by Cr Richardson, and Seconded by Cr Mudie

Resolution: 81/23

That Council:

APPROVE the draft Deed of Variation to the current Medical Agreement with Livingston Medical Pty Ltd as per Confidential Attachment.

Motion put and CARRIED by Absolute Majority

6/0

Cr Livingston returned to the meeting at 6.17pm

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12.2 CORPORATE SERVICES

12.2.1 MONTHLY FINANCIAL REPORTS – 31 AUGUST 2023

File Reference:	N/A
Location:	Shire of Ravensthorpe
Applicant:	Nil
Author:	Accountant
Authorising Officer	Executive Manager Corporate Services
Date:	12 September 2023
Disclosure of Interest:	Nil
Attachment: <u>LIGHT BLUE</u>	Monthly Financial Reports for 31 August 2023
Previous Reference:	Nil

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 August 2023 Monthly Financial Reports.

COMMENT

3. The August 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 2023/24 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;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
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 Major, and Seconded by Cr Mudie

Resolution: 82/23

That Council:

RECEIVE the August 2023 Monthly Financial Reports as presented.

Motion put and CARRIED by Simple Majority

7/0

12.2.2 SCHEDULE OF ACCOUNT PAYMENTS – AUGUST 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: 12 September 2023
Disclosure of Interest: Nil
Attachment: ORANGE
 1. Schedule of Payments to 31 August 2023
 2. Credit Card Transactions 01 August 2023
 3. Creditors List of Accounts Paid August 2023

Previous Reference: Nil

PURPOSE

- 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 01/08/2023 – 31/08/2023

Month	Cheques	EFT Pymts	Direct Debits	Credit Card	Trust	Total Creditors	Payroll
Jul	5,390	977,241	142,831	4,180	0	1,129,643	336,369
Aug	13,517	818,548	143,285	8,366	0	983,716	327,430
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
Total	18,907	1,795,789	286,116	12,546	0	2,113,358	663,799
22/23	114,562	12,445,050	943,431	81,842	0	13,584,885	4,162,759
21/22	109,610	11,455,728	1,217,128	101,107	0	12,883,572	4,057,812
20/21	219,357	8,442,181	965,406	135,103	0	9,762,047	3,790,863

COMMENT

3. Schedules of accounts as presented, submitted to each member of the Council, have been checked and are fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods, the performance of services, to prices computation, costing's and the amounts that 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, and Seconded by Cr Leighton

Resolution: 83/23

That Council:

NOTE, pursuant to Regulation 13 of the *Local Government (Financial Management) Regulations 1996*, the payment of accounts for the month of August 2023.

Motion put and CARRIED by Simple Majority

7/0

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12.3 INFRASTRUCTURE SERVICES
Nil.

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12.4 DEVELOPMENT AND COMMUNITY SERVICES

12.4.1 CSRFF APPLICATION – HOPETOUN MULTIPURPOSE FACILITY

File Reference:	GS.GR.2
Location:	Lot 500, Veal St, Hopetoun
Applicant:	N/A
Author:	Acting Executive Manager Development and Community
Authorising Officer	Chief Executive Officer
Date:	08 September 2023
Disclosure of Interest:	Nil
Attachments: <u>PINK</u>	Concept Plan extracted from Shire of Ravensthorpe Masterplan for Hopetoun Multipurpose Pavilion
Previous Reference:	N/A

PURPOSE

1. Council to consider endorsing the Chief Executive Officer to submit one funding application to the Department of Local Government, Sport & Cultural Industries (DLGSCI) under the Community Sporting & Recreation Facilities Fund (CSRFF) – Forward Planning Grants for one third funding towards the construction of the Hopetoun Multipurpose Pavilion.

BACKGROUND

2. During development of the Shire's Strategic Community Plan 2020-2030, community consultation revealed that improving public/recreation facilities was considered a high priority for the Shire to focus on into the future (p.7). Further, 'partnering with sporting clubs to progress facility upgrades' was identified as a priority activity to occur within four years (p.12).
3. In September 2022 the Shire's Sport & Recreation Master Plan was completed with a key action to develop the Hopetoun Sporting Precinct Concept Plan, which was finalised in December 2022 by Tredwell Consulting. The Concept Plan design is reflective of the information gathered from the site analysis, current trends, community and key stakeholder consultation and guiding principles. The Concept Plan design ensures that the Hopetoun Sporting Precinct will effectively cater to the needs of the local community, clubs, user groups and visitors for generations to come.
4. Throughout the development of the Concept Plan, it was identified that the Hopetoun Pavilion requires renewal to meet modern standards and to become universally accessible, environmentally sound, contemporary and multi-purpose. The Concept Plan proposes demolition of the existing Hopetoun Sporting Pavilion and recommends that a new multi-use pavilion is developed which incorporates all sport and recreation pursuits.
5. DLGSCI administers the CSRFF program, with the purpose of providing State Government financial assistance to Local Government Authorities and local community groups (up to one third of the total capital cost), to develop well-planned facilities for sport and recreation.

6. In order to assist with the evaluation of submissions and to ensure projects are viable and appropriate, DLGSCI has developed “Key Principles of Facility Provision”. Accordingly, each submission is to be assessed against those criteria.

Under the provision, Local Government Authorities are required to rate and prioritise submissions using the following guide:

RATE	DESCRIPTION
A	Well planned and needed by the municipality
B	Well planned and needed by the applicant
C	Needed by the municipality, more planning required
D	Needed by the applicant, more planning required
E	Idea has merit, more preliminary work needed
F	Not recommended

Each Local Government Authority is required to assess and prioritise the applications before forwarding all documentation to the Goldfields Office of the DLGSCI no later than Friday 29 September 2023.

Applications will be evaluated and ranked by relevant State Sporting Associations and the CSRFF Assessment Panel, prior to the outcome being announced by the Minister for Sport and Recreation. Funds for successful applications will become available in the 2024/25 financial year.

One (1) application has been received for the current Forward Planning grant round as follows:

1. *Construction of Hopetoun Multipurpose Pavilion.*

COMMENT

7. If the funding submission to DLGSCI is successful, DLGSCI will only allocate funding towards eligible project items that meet the DLGSCI priorities and objectives. The funding from DLGSCI is one third of the cost for these identified items and the applicant or other third party is required to commit the matching two thirds to DLGSCI’s one third. Eligible items have been determined to include the indoor courts, changerooms, gymnasium and storage for clubs.
8. Applicants have the opportunity to seek a Development Bonus based on criteria including Geographical Location, Sustainability, Co-location and Increased Participation. If successful with the Development Bonus request, there is the potential to receive up to 50% of eligible item costs, however it is necessary for the applicant to confirm two thirds of total project costs, in the event the Development Bonus is not awarded.

CONSULTATION

9. Councillors
Executive Team
Callum Sly, West Australian Football Commission
Kelly Dominiak, Netball WA
Southerners Sporting Club Inc.
Hopetoun Community Resource Centre

Hopetoun Primary School
 Hopetoun Bowling Club
 Brad Stacey, Goldfields - DLGSCI

STATUTORY ENVIRONMENT

10. *Local Government Act 1995*

POLICY IMPLICATIONS

11. Nil

FINANCIAL IMPLICATIONS

12. Funding is being sought for elements of the Pavilion including the indoor sports courts, gymnasium, changerooms and storage facilities. These elements equate to \$3,662,000 ex GST. A Development Bonus is not being sought, therefore the sum of \$1,220,600 (ex GST) is being sought under the CSRFF, being a one third contribution to eligible items as per the CSRFF guidelines. The Shire (or other third party) is required to fund the remaining \$2,441,400 (ex GST) in the 2024/25 financial year.

13. The Shire has also applied for project funding under the Federal Government’s Growing Regions Program and is currently awaiting notification of grant outcome.

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational)	Unlikely	Insignificant	Very Low	Funding acceptance will depend on success of Growing regions grant and other external funding e.g. resource companies.
Financial	Unlikely	Insignificant	Very Low	Application will not proceed if funding for new Pavilion is not successful
Environmental	Rare	Insignificant	Very Low	The application is for a new replacement building on an existing site
Reputational	Rare	Insignificant	Very Low	The new Sport Pavilion has been identified by the community as a high priority asset and service

ALTERNATE OPTIONS

15. Council does not support the application for funding.
 Council supports the application for funding with conditions.

STRATEGIC ALIGNMENT

16. This item is relevant to the Councils approved Strategic Community Plan 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
2.2	Community groups function well with strong volunteer effort and feel supported by the community
2.4	People have access to attractive community facilities, activities and events which support activity and health, community involvement and enjoyment of life
2.5	Young people, older people and people with disability feel valued and have access to resources which provide opportunities for their development and enjoyment

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
3.5	The Shire's heritage structures, heritage and cultural places are valued and protected, and are integrated into community life and economic activity.

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
5.4	The Shire of Ravensthorpe is known as a good employer, and staff have the capacity and skills to deliver identified services and strategies
5.5	The value of community owned assets is maintained

VOTING REQUIREMENTS

17. Simple Majority

COUNCIL DECISION

Moved by Cr Mudie, and Seconded by Cr Bell

Resolution: 84/23

That Council:

- ENDORSE a forward planning grant application seeking \$1,220,600 (ex GST) under the Community Sporting & Recreation Facilities Fund for the Construction of Hopetoun Multipurpose Pavilion Project;**

2. **RANK the Construction of Hopetoun Multipurpose Pavilion Project as “A – Well planned and needed by municipality”; and**
3. **COMMIT expenditure of up to \$3,662,000 (ex GST) towards the Construction of Hopetoun Multipurpose Pavilion Project in 2024/25, subject to successful grant application.**

Motion put and CARRIED by Simple Majority

7/0

Cr Leighton commented that this was a good idea.

UNCONFIRMED

12.4.2 SHIRE OF RAVENSTHORPE DOGS AMENDMENT LOCAL LAW 2022

File Reference:	LE.LL.13
Location:	Shire of Ravensthorpe
Applicant:	N/A
Author:	Acting Executive Manager Development and Community
Authorising Officer	Chief Executive Officer
Date:	08 September 2023
Disclosure of Interest:	Nil
Attachments: <u>BLUE</u>	Dogs Amendment Local Law 2022
Previous Reference:	Item 10.1 Ordinary Council Meeting 15 February 2022

PURPOSE

1. For Council to consider the amendment to the Dog Local Law with the Dogs Amendment Local Law 2022, in accordance with 3.16(4) of the Local Government Act 1995. This amendment resolves to remove the prescribed areas in which dogs are prohibited and dog exercise areas, with the prescribed areas to be determined by Council resolution, and to review modified penalties.

BACKGROUND

2. The objective of this policy is to provide an operational framework for the actions necessary to meet the Council's statutory obligations and responsibilities to ensure dog ownership within the district. The Shire of Ravensthorpe has undertaken a significant amount of community consultation over the past 6 months to ensure community input.
3. Following a review of the Shire's Local Laws, Council passed the following resolution at the ordinary meeting of Council held on Tuesday 15 February 2022:

That Council:

Resolution: 4/22

In accordance with section 3.16(4) of the Local Government Act 1995 resolves to amend the Dogs Local Law by removing the prescribed areas in which dogs are prohibited and dog exercise areas, with prescribed areas to be determined by Council resolution, and to review the modified penalties.

At the Council meeting in March 2023, Council agreed by unanimous consensus to lay the document on the table. This would allow for further community consultation.

COMMENT

4. With regard to the *Dogs Amendment Local Law 2022* removal of the dog prohibited areas, and dog exercise areas from the Local Law to instead be determined by policy, it will provide greater flexibility as this will no longer require the Local Law to be reviewed by Council for changes to be made.
5. The procedure for making local laws requires Council to advertise its intention to make or amend a local law and invite submissions to be made on the proposed local laws for a minimum six-week period. At the closure of the submission period, Council is to consider all submissions

before making a local law. The proposed local law was advertised for public comment in accordance with the requirements of the Act. On 21 January 2023 a Public Notice was placed in the Community Spirit Newsletter, on the Shire website, social media and notice boards, with the submission period for public comment closing on 15 March 2023.

6. To date no public submission on the local law has been received.
7. To date, the Minister for Local Government has not advised any amendments.
8. Once formally adopted by Council:
 - a. the local laws are to be published in the Government Gazette;
 - b. local public notice is to be given of adoption of the local laws (separate to previous advertising of proposals);
 - c. signed copies are to be sent to Minister for Local Government; and
 - d. copies sent to the Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) together with other required documentation, within 10 days of publication in the Government Gazette.
9. Please note –
 - a. disallowance of the local laws may be made by Parliament, and could take some time depending on sitting days;
 - b. if a provision is not considered to be critical, the JSCDL may require an undertaking from Council to make an amendment; and
 - c. the local laws take effect on the day stipulated in the local law, generally 14 days after publication in the Government Gazette.

CONSULTATION

10. Councillors
Executive Team
Ranger Team
Community

STATUTORY ENVIRONMENT

11. *Local Government Act 1995 (WA).*
Dog Act 1976 (WA).

POLICY IMPLICATIONS

12. A Dog Management Policy will be required to complement the *Dogs Amendment Local Law 2022*.

FINANCIAL IMPLICATIONS

13. All new Local Laws adopted are required to be published in the Government Gazette at the Shires cost, estimated at approximately \$5,000.

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational)	Possible	Moderate	High	Council ensure amendments to local laws follow the local law-making process as per sec 3.12 Local Govt Act & NCP review requirements
Reputational	Unlikely	Minor	Low	Council to use the Dog Management Policy to better respond to public expectations

ALTERNATE OPTIONS

15. Council do not approve the Dogs Amendment Local Law 2022.

STRATEGIC ALIGNMENT

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

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

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

17. Absolute Majority

COUNCIL DECISION

Moved by Cr Bell, and Seconded by Cr Livingston

Resolution: 85/23

That Council:

**APPROVE the Dogs Amendment Local Law 2022.
Motion put and CARRIED by Absolute Majority**

7/0

Cr Bell congratulated Executive Manager Community & Development Services for a really well done job.

UNCONFIRMED

12.4.3 DRAFT DOG MANAGEMENT POLICY

File Reference:	CM.PO.1
Location:	Shire of Ravensthorpe
Applicant:	NA
Author:	Acting Executive Manager Development and Community
Authorising Officer	Chief Executive Officer
Date:	08 September 2023
Disclosure of Interest:	Nil
Attachments:	Draft Dog Management Policy
<u>LIGHT GREEN</u>	Maps
Previous Reference:	N/A

PURPOSE

1. For Council to consider the draft Dog Management Policy to go for public comment. The Draft Dog Management Policy is to complement the *Dog Amendments Local Law 2022*, allowing Council to determine dog exercise, prohibited and rural leashing areas.

BACKGROUND

2. The objective of this policy is to provide an operational framework for the actions necessary to meet the Council's statutory obligations and responsibilities to ensure dog ownership within the district. The Shire of Ravensthorpe has undertaken a significant amount of community consultation over the past 6 months to ensure community input.
3. Following a review of the Shire's Local Laws, Council passed the following resolution at the ordinary meeting of Council held on Tuesday 15 February 2022:

'That Council:

Resolution 4/22

In accordance with section 3.16(4) of the Local Government Act 1995 resolves to amend the Dogs Local Law by removing the prescribed areas in which dogs are prohibited and dog exercise areas, with prescribed areas to be determined by Council resolution, and to review the modified penalties.'

The amended Local Law item was laid on the table at the time to allow for further community consultation. Council is also requested to approve this in a separate agenda item.

COMMENT

4. With regard to the *Dogs Amendment Local Law 2022* removal of the dog prohibited areas and dog exercise areas from the Local Law to instead be determined by policy, will provide greater flexibility as this will no longer require the Local Law to be reviewed by Council for changes to be made.

Council is committed to promoting responsible dog ownership. Dog ownership has many important benefits to the community through companionship, health promotion, general well-being as well as their use as working dogs. All dog owners have a legal and ethical

responsibility to their dogs and to the wider community, as irresponsible dog ownership can affect the physical and social environment of other residents. This Draft Dog Management Policy is provided to assist dog owners to minimise any negative impacts on the community by determining exercise areas, prohibited and rural leashing areas, through policy, allowing Council to determine areas within the Shire of Ravensthorpe without the need to amend the Local Law.

CONSULTATION

- 5. Councillors
 - Executive Team
 - Ranger Team
 - Community

STATUTORY ENVIRONMENT

- 6. *Local Government Act 1995 (WA).*
Dog Act 1976 (WA).
Disability Discrimination Act 1992 (Cth)
Equal Opportunity Act 1984 (WA)
Health (Miscellaneous Provisions) Act (WA)
Environmental Protection Act 1986 (WA)

POLICY IMPLICATIONS

- 7. If Council adopts the Draft Dog Management Policy , it will be included in the Shire of Ravensthorpe Council Policies.

FINANCIAL IMPLICATIONS

- 8. This policy will also outline Council’s approach and responsibilities for dog management and control. All declared dog exercise, prohibited and rural leashing areas will be identified by appropriate signage.

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational)	Unlikely	Minor	Low	Rangers will undertake education program. New signage and maps to clearly identify areas will be installed
Financial	Rare	Insignificant	Very Low	Additional signage approved in budget
Environmental	Rare	Minor	Low	Additional dog bag stations installed. Signage to include advice on breeding times to reduce impact on wildlife

Reputational	Unlikely	Minor	Low	Significant community consultation undertaken prior to decision making
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ALTERNATE OPTIONS

10. Council does not approve the draft policy.

STRATEGIC ALIGNMENT

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

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

VOTING REQUIREMENTS

12. Simple Majority

COUNCIL DECISION

Moved by Cr Mudie, and Seconded by Cr Leighton

Resolution: 86/23

That Council:

Approve the Draft Dog Management Policy for Public Comment.

Motion put and CARRIED by Simple Majority

7/0

12.4.3 SOUTH WEST NATIVE TITLE SETTLEMENT – LAND BASE CONSULTATION – DPLH REQUEST FOR COMMENT ON LAND LIST 1646 AND 1647

File Reference:	CP.AD.1
Location:	Shire of Ravensthorpe
Applicant:	N/A
Author:	Executive Manager Development and Community
Authorising Officer	Chief Executive Officer
Date:	11 September 2023
Disclosure of Interest:	Nil
Attachments: <u>PURPLE</u>	Land lists 1646 and 1647 Maps depicting areas for comment
Previous Reference:	N/A

PURPOSE

1. For Council to consider the proposed transfer of land under the South West Native Title Settlement (Settlement) and agree comments on the freehold transfer of land under the Settlement.

BACKGROUND

2. The South West Native Title Settlement (Settlement) is a landmark native title agreement reached between the State Government (State) and the six Noongar Agreement Groups. The six requisite Indigenous Land Use Agreements (ILUAs) were conclusively registered, leading to the Settlement commencing on 25 February 2021 after some years of delay. The Settlement recognises the Agreement Groups as the Traditional Owners of the south west of Western Australia, while resolving native title in exchange for a negotiated package of benefits. The area subject to the Settlement is depicted in the attached maps.
3. A key negotiated benefit is the delivery of a 320,000 hectare Noongar Land Estate, in accordance with the Noongar Land Base Strategy (Annexure J to the ILUAs). The Noongar Land Estate will contain up to 300,000 hectares of land transferred in reserve or leasehold, and up to 20,000 hectares of land transferred in freehold. The Landholding Body for all land transferred is the Noongar Boodja Land Sub Pty Ltd, which will hold and manage the land in the Noongar Land Estate in consultation with the soon to be established Noongar Regional Corporations. All land will be used and managed in line with Noongar cultural, social and economic aspirations for the benefit of generations to come.
4. Over the next five years, the Department of Planning, Lands and Heritage (Department) will progress selected land parcels through to transfer under the Settlement, subject to all necessary consultation and approvals with stakeholders. Land eligible for inclusion in the Noongar Land Estate includes:
 - unallocated Crown land;
 - unmanaged reserves;

- land owned or held by the Aboriginal Lands Trust / Aboriginal Affairs Planning Authority; and
- land owner or held by State agencies or Local Government Authorities, at the discretion of the State agency or Local Government Authority.

COMMENT

5. A key part of the process being followed by the Department involves the referral of land under consideration for inclusion in the Noongar Land Estate to relevant State agencies and Local Government Authorities. The attached spreadsheets comprise the land parcels identified for possible transfer. The Department requests the Council to provide comments on each of the land parcels directly into the column labelled 'Referee Comments' by 18 October 2023, and in relation to the following:

- I. Is the Shire supportive of the transfer of this land to the Noongar People under the Settlement?
- II. Does the Shire have any interest in the land?
- III. Does the Shire have existing or planned infrastructure within the land parcel that requires protection? If yes, please provide details and advise if access to this infrastructure will need to be maintained.
- IV. Is the land parcel subject to any mandatory connection to services?
- V. Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?
- VI. Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe?
- VII. Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or Local government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?
- VIII. Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).
- IX. Please provide any additional comments on the proposed transfer of this land as part of the Settlement.

CONSULTATION

1. Executive Team.

STATUTORY ENVIRONMENT

2. Nil.

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	Low	All freehold land to comply with Planning Scheme and policies
Financial	Unlikely	Moderate	Low	Freehold land to comply with all planning requirements
Environmental	Rare	Insignificant	Very Low	Freehold land must comply with Shires Fire Break Notices
Reputational	Unlikely	Insignificant	Very Low	Shire to work with Wagyl Kaip Corporation to ensure best outcomes in line with EGS

ALTERNATE OPTIONS

9. Council may choose to not make comment.

STRATEGIC ALIGNMENT

10. This item is relevant to the Councils approved Strategic Community Plan 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
2.2	Community groups function well with strong volunteer effort and feel supported by the community
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
2.5	Young people, older people and people with disability feel valued and have access to resources which provide opportunities for their development and enjoyment

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
4.4	Energy is used efficiently and there is an increased use of renewable energy in the Shire

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

11. Simple Majority

COUNCIL DECISION

Moved by Cr Major and Seconded by Cr Richardson

Resolution: 87/23

That Council:

APPROVE the comments in response to the DPLH request.

Motion put and CARRIED by Simple Majority

7/0

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 6.21pm.