



Agenda

Ordinary Meeting of Council
Tuesday, 20 December 2022



NOTICE OF MEETING

Notice is hereby given that the

Shire of Ravensthorpe
Ordinary Council Meeting

will be held on
Tuesday, 20 December 2022
commencing at 6.00pm

Council Chambers
Hopetoun Meeting Room

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.

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)

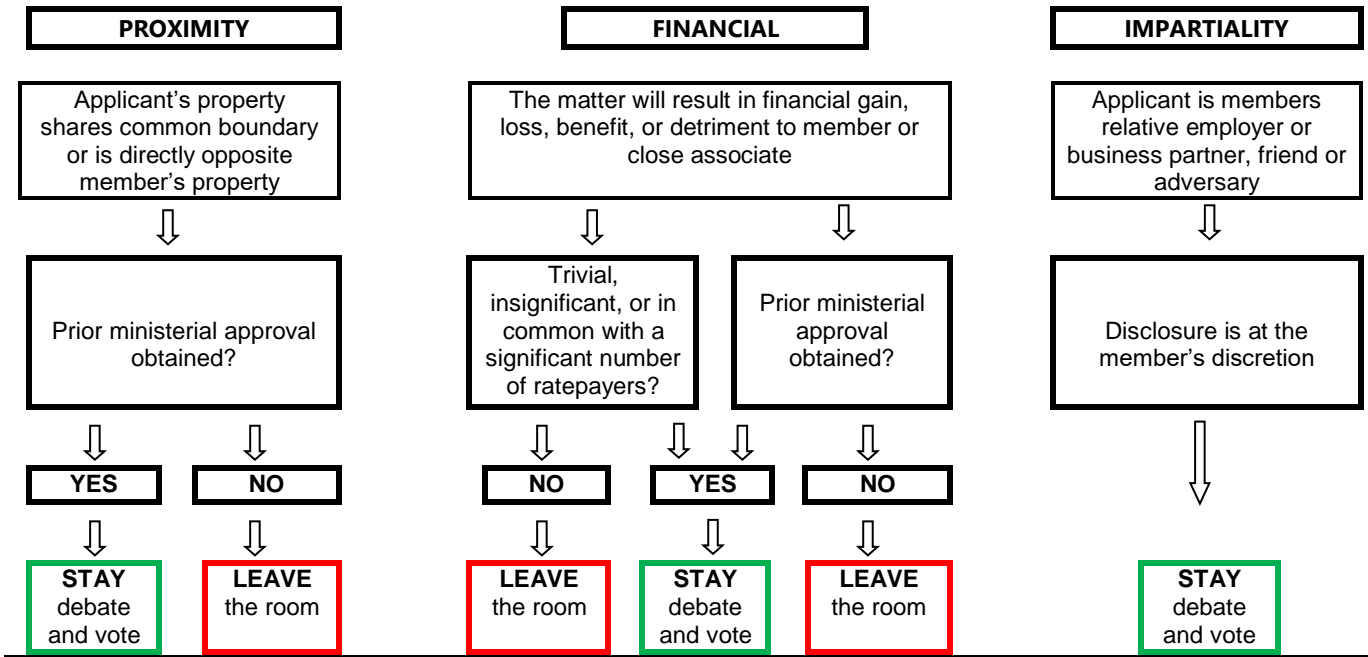
Signed: _____ Date: _____

- **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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AGENDA

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 to declare the meeting open.

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

The Shire President advised visitors in adhering to both the *Local Government Act 1995*, and the Shire of Ravensthorpe Meeting Procedures Local Law, it is an offence to record the proceedings of this meeting and asked visitors 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 Rachel Livingston
Cr Thomas Major
Cr Mark Mudie
Cr Graham Richardson

Staff:

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)
Meredith Lee-Curtis (Executive Assistant)

VISITORS

APOLOGIES

Nil.

LEAVE OF ABSENCE

Nil.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Mr Kenneth Norman
1090 Woodenup Road, Ravensthorpe

At the November 2022 Ordinary Meeting of Council Mr Norman asked a further question, which the CEO took on notice.

Question 3

I refer to the Creditors Payments for the years 2017 and 2018 and advise that they are not included in the Minutes on the Shire website. I request that I be provided with copies of these.

Answer 3

On 16 November 2022 the Chief Executive Officer instructed his Executive Assistant (EA) to investigate Mr Norman's query, and it was quickly ascertained that the information Mr Norman requested was not available on the website. The Chief Executive Officer authorised his EA to email Mr Norman to advise that copies of the statements would be provided to him, once he had clarified the months/years he was seeking.

On 16 November, Mr Norman responded to the EA via email advising that 'it doesn't really matter anymore anyway' and thanked the EA for her 'very quick and efficient work'.

4. PUBLIC QUESTIONS TIME

In accordance with section 5.24 of the *Local Government Act 1995*, a 15-minute public question time is made available to allow members of the public the opportunity of questioning Council on matters concerning them.

Council Consideration Towards Public

When public questions necessitate resolutions of Council, out of courtesy and at the Shire President's discretion, the matter is to be dealt with immediately to allow the public to observe the determination of the matter (obviates the need for the public to wait an undetermined period of time).

When a matter is listed on the Agenda and member/s of the public are in attendance to observe the determination of the matter, out of courtesy and at the discretion of the Shire President, the matter is to be brought forward on the agenda and dealt with immediately to allow the public to observe the determination of the matter (again this obviates the need for the public to wait an indeterminate period of time).

5. DECLARATIONS OF INTEREST

Nil.

6. APPLICATIONS FOR LEAVE OF ABSENCE

The *Local Government Act 1995* (Section 2.25) provides that a Council may, by resolution, grant leave of absence to a member for Ordinary Council Meetings. A member who is absent, without first obtaining leave of the Council, throughout three consecutive Ordinary meetings of the Council is disqualified from continuing his or her membership of the Council.

Disqualification from membership of the Council for failure to attend Ordinary Meetings of the Council will be avoided so long as the Council grants leave prior to the member being absent. The leave cannot be granted retrospectively. An apology for non-attendance at a meeting is not an application for leave of absence.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 ORDINARY COUNCIL MEETING MINUTES 15 NOVEMBER 2022 (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.

That the Minutes and associated attachments of the Ordinary Meeting of the Shire of Ravensthorpe held on 15 November 2022 be confirmed as a true and correct record.

Moved: _____

Seconded: _____

Carried: /

8. ANNOUNCEMENTS/REPORTS BY ELECTED MEMBERS

9. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

The Chief Executive Officer has approved deputations from the following:

Nil.

11. MATTERS ARISING FROM COMMITTEES OF COUNCIL

11.1 LOCAL EMERGENCY MANAGEMENT COMMITTEE - LEMA REVIEW

File Reference:	RM.RA.3
Location:	Shire of Ravensthorpe
Applicant:	N/A
Author:	A/Executive Manager Development and Community Services
Authorising Officer	Chief Executive Officer
Date:	12 December 2022
Disclosure of Interest:	Nil
Attachments: BLUE	Local Emergency Management Arrangements (LEMA) and Recovery Sub Plan

Previous Reference:

PURPOSE

1. The Shire of Ravensthorpe has established a Local Emergency Management Committee (LEMC) under section 38(1) of the *Emergency Management Act 2005* to risk assess, plan and exercise the Ravensthorpe Local Emergency Management Arrangements (LEMA).
2. The attached Draft Ravensthorpe LEMA documents are required to be considered and endorsed by Council;
 - Local Emergency Management Arrangements, March 2022; and
 - Local Recovery Sub Plan March 2022.

BACKGROUND

3. The aim of the Shire of Ravensthorpe Local Emergency Management Arrangements is to describe the overall emergency management coordination arrangements within the Shire.
The purpose of these emergency management arrangements is to set out and enable:
 - a) The local government's policies for emergency management;
 - b) The roles and responsibilities of public authorities and other persons involved in emergency management in the local government district;
 - c) Provisions about the coordination of emergency operations and activities relating to emergency management performed by the persons mentioned in paragraph (b);
 - d) A description of emergencies that are likely to occur in the local government district;
 - e) Strategies and priorities for emergency management in the local government district;
 - f) Other matters about emergency management in the local government district prescribed by the regulations; and
 - g) Other matters about emergency management in the local government district the local government considers appropriate.

COMMENT

4. That Council continue to support the LEMC and approve the updated LEMA documents.

CONSULTATION

5. Consultation has been with all members of the Local Emergency Management Committee.

STATUTORY ENVIRONMENT

6. *Emergency Management Act 2005*

POLICY IMPLICATIONS

7. A3 Work Health and Safety Policy

FINANCIAL IMPLICATIONS

8. Nil

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational)	Likely	Moderate	Medium	Document updated as required. Document reviewed by LEMC annually
Financial	Possible	Moderate	Low	Document provides for Financial arrangements Reference State Emergency Management Policy section 6 Borrowing arrangements under <i>Local Government Act 1995</i> 6.8(1)(b)
Environmental	Unlikely	Minor	Very Low	Input from all stakeholders of LEMC
Reputational	Unlikely	Minor	Low	LEMA input from all stakeholders of LEMC.

ALTERNATE OPTIONS

10. Nil.

STRATEGIC ALIGNMENT

11. 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 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
2.5	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
3.5	The Shire's heritage structures, heritage and cultural places are valued and protected, and are integrated into community life and economic activity.

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

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

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

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

VOTING REQUIREMENTS

12. Simple Majority

COMMITTEE RECOMMENDATION

That Council APPROVE the Draft Local Emergency Management Arrangements and Sub Plans.

Moved: _____

Seconded: _____

Carried: __/__

12. REPORTS OF OFFICERS

12.1 EXECUTIVE SERVICES

12.1.1 SHIRE OF RAVENSTHORPE INFRASTRUCTURE PRIORITIES

File Reference:	CM.PL.1
Location:	N/A
Applicant:	N/A
Author:	Chief Executive Officer
Authorising Officer	Chief Executive Officer
Date:	13 December 2022
Disclosure of Interest:	Nil
Attachments: <u>YELLOW</u>	Infrastructure Priorities Table
Previous Reference:	Nil

PURPOSE

1. For Council to endorse the Shire of Ravensthorpe Infrastructure Priorities as presented in Attachment 1 to this report.

BACKGROUND

2. The Shire works with a number of partners to create and maintain improved amenities and facilities for the towns within Ravensthorpe, as well as develop new opportunities for the enrichment of the region.
3. Around 21 major projects within the Shire of Ravensthorpe have been identified as part of previous strategic planning work undertaken by the Shire and its partner agencies.
4. These projects aim to improve the liveability within the local communities through a shared vision of long term sustainability.
5. At the 1 November 2022 Corporate Discussion meeting, Ravensthorpe Council reviewed and prioritised these major projects for the district.
6. These are summarised in Attachment 1 to this report under categories of **Flagship**, **High**, **Medium** and Low.
7. The framework used to prioritise projects aligns with that used by the WA Planning Commission and detailed as per below Table 1.

Table 1 - Project prioritisation categories (as per WA Planning Commission)

Flagship	A project that is essential to the region and needs to be completed or be substantially progressed in the next five years
High priority	A project that will provide significant economic and/or social benefit to the region and is essential for regional growth
Medium priority	A project that will provide valuable economic and/or social benefit to the region and is important for regional growth
Low priority	A project that will provide some economic and/or social benefit to the region and will contribute to regional growth

COMMENT

- 8. A variety of government agencies are responsible for the delivery of these identified projects however the Shire can either deliver directly or play a leading advocacy role in promoting their advancement.
- 9. Council endorsement of the project priorities list provides clear guidance to Shire Officers to proactively advocate to WA State and Federal governments and other sources for funding support.
- 10. The project priorities list is Council’s position for supported projects as at the time of formal endorsement, and can be revised and updated on an ongoing basis.

CONSULTATION

- 11. Councillors and Executive Management Team

STATUTORY ENVIRONMENT

- 12. Nil

POLICY IMPLICATIONS

- 13. Nil

FINANCIAL IMPLICATIONS

- 14. Nil

RISK MANAGEMENT

- 15. Risks identified as part of this regular reporting;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational); Shire and Council have no clear direction or consensus on which projects are the major priorities within the district.	Possible	Moderate	Medium	Council endorse project priorities that clearly highlight flagship, high, medium or low.
Financial; major grant funding opportunities are missed due to no clear project hierarchy	Possible	Major	High	Council endorse project priorities that clearly highlight flagship, high, medium or low.

ALTERNATE OPTIONS

- 16. Council may decide not to endorse the project priorities as presented in attachment 1 and/or alter some of the priority rankings.

STRATEGIC ALIGNMENT

- 17. 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
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
4.1	Maximised resource recovery from waste and safe disposal of residual waste
4.2	Water conservation and water harvesting opportunities are maximised
4.3	The Shire's valued natural areas and systems are protected and enhanced
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
5.2	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

18. Simple Majority

OFFICER RECOMMENDATION

That Council ENDORSE the Shire of Ravensthorpe Infrastructure Priorities as presented in Attachment 1.

Moved: _____

Seconded: _____

Carried: __/__

12.1 **EXECUTIVE SERVICES**

12.1.2 APPROVAL FOR RATES WRITE-OFF

File Reference:	A39
Location:	N/A
Applicant:	N/A
Author:	Chief Executive Officer
Authorising Officer	Chief Executive Officer
Date:	13 December 2022
Disclosure of Interest:	Nil
Attachments: <u>YELLOW</u>	Confidential Attachment 1 (separate)
Previous Reference:	Nil

PURPOSE

1. For Council to consider approval for the write-off of outstanding rates.

BACKGROUND

2. The Shire has received a request to write-off an outstanding rates amount that dates back to the year 2004, from a long term resident.

COMMENT

3. A summary of the matter and Officer Recommendation is attached as *Confidential Attachment No.1* to this report.

CONSULTATION

4. Nil

STATUTORY ENVIRONMENT

5. *Local Government Act 1995* section 6.47 – Concessions:

Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.*

** Absolute majority required.*

Local Government (Financial Management) Regulations 1996 regulation 69A. – When concession under Act s. 6.47 cannot be granted:

A local government is not to exercise a power to grant a concession in relation to a rate or service charge under section 6.47 of the Act in circumstances where the concession is based on whether or not, or the extent to which, the land in respect of which the rate or service charge is imposed is occupied by a person who owns the land.

[Regulation 69A inserted: Gazette 7 Jan 2005 p. 72.]

Local Government Act 1995 section 6.49. Agreement as to payment of rates and service charges:

A local government may accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.

POLICY IMPLICATIONS

6. Nil

FINANCIAL IMPLICATIONS

7. If the Officer Recommendation is approved then Council will write-off \$1,460.54, however, as this dates back 17 years this amount has not been included in the current adopted budget.

RISK MANAGEMENT

8. Risks identified as part of this regular reporting;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational; that the reputation of the Shire is negatively impacted by not considering the request to grant the write-off due to extenuating circumstances.	Possible	Moderate	Medium	Council endorse the Officer Recommendation to write-off the outstanding debt.

ALTERNATE OPTIONS

9. Council may decide not to write-off all or part of the outstanding debt.

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
1.1	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
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
4.1	Maximised resource recovery from waste and safe disposal of residual waste
4.2	Water conservation and water harvesting opportunities are maximised
4.3	The Shire's valued natural areas and systems are protected and enhanced

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
5.2	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. Absolute Majority

OFFICER RECOMMENDATION

That Council APPROVE BY ABSOLUTE MAJORITY the write-off of the outstanding debt as per the Officer Recommendation contained within Confidential Attachment 1.

Moved: _____

Seconded: _____

Carried BY ABSOLUTE MAJORITY: _/_

12. REPORTS OF OFFICERS

12.2 CORPORATE SERVICES

12.2.1 MONTHLY FINANCIAL REPORT – 30 NOVEMBER 2022

File Reference:	N/A
Location:	Shire of Ravensthorpe
Applicant:	Nil.
Author:	Accountant
Authorising Officer	Executive Manager Corporate Services
Date:	13 December 2022
Disclosure of Interest:	Nil.
Attachment: <u>RED</u>	Monthly Financial Reports for November 2022
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 November 2022 Monthly Financial Reports.

COMMENT

3. The November 2022 Monthly Financial Reports are presented for review.

CONSULTATION

4. Executive Team

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

6. Nil.

FINANCIAL IMPLICATIONS

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

RISK MANAGEMENT:

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

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

OFFICER RECOMMENDATION

That Council RECEIVE the November 2022 Monthly Financial Reports as presented.

Moved: _____

Seconded: _____

Carried: _/_

12.2 CORPORATE SERVICES

12.2.2 SCHEDULE OF ACCOUNT PAYMENTS – NOVEMBER 2022

File Reference:	GR.ME.8
Location:	Shire of Ravensthorpe
Applicant:	Shire of Ravensthorpe
Author:	Accountant
Authorising Officer	Executive Manager of Corporate Services
Date:	15 December 2022
Disclosure of Interest:	Nil.
Attachment: <u>RED</u>	Schedule of Payments 30 November 2022 Credit Card Transactions to 01 November 2022 Creditors List of Accounts Paid November 2022
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 01/11/2022 – 30/11/2022

Month	Cheques	EFT Pymts	Direct Debits	Credit Card	Trust	Total Creditors	Payroll
Jul	9,412	1,344,302	67,653	5,967	0	1,427,333	309,447
Aug	13,186	1,135,858	130,685	3,466	0	1,283,195	302,671
Sep	7,250	996,136	43,399	7,971	0	1,054,756	302,386
Oct	9,643	769,594	76,558	7,747	0	863,543	337,295
Nov	6,218	870,407	59,909	6,864	0	943,397	455,624
Dec					0	0	
Jan					0	0	
Feb					0	0	
Mar					0	0	
Apr					0	0	
May					0	0	
Jun					0	0	
Total	45,708	5,116,297	378,204	32,014	0	5,572,224	1,707,422
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
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

4. Accountant

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;

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

OFFICER RECOMMENDATION

That Council:

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

Moved: _____

Seconded: _____

Carried: /

12.3 INFRASTRUCTURE SERVICES

12.3.1 PRICE VARIATION FOR RAVENSTHORPE WASTE FACILITY WEIGHBRIDGE

File Reference:	EM.LC.8
Location:	Shire of Ravensthorpe
Applicant:	N/A
Author:	Executive Manager Infrastructure Services
Authorising Officer	Chief Executive Officer
Date:	15 December 2022
Disclosure of Interest:	Nil
Attachments:	Nil
Previous Reference:	Nil

PURPOSE

1. To obtain Council's approval to award a contract variation greater than 10%.

BACKGROUND

2. On 18 May 2022 Purchase Order #23582 amounting to \$204,525.00 (exc. GST) was awarded to Diverseco for the supply and installation of an 18-metre weighbridge inclusive of concrete works, verification and commissioning. This decision was made after receiving four quotes from suppliers.
3. At the time of quoting, a Geotechnical Report was not available and contingencies were included in the budget for this. After awarding the works to Diverseco a Geotechnical Report was obtained by the Shire which found that the soil conditions at the location of the weighbridge were poor due to the presence of buried waste. This finding resulted in the need for Diverseco to strengthen the foundation design and issue Council a variation request for \$63,130.00 +GST. Shire Officers reviewed this claim and obtained advice from a third party Quantity Surveyor, advising that the price could be high. Subsequent discussions with Diverseco reduced the claim to \$59,470.00 +GST. If approved by Council, the works would be undertaken in March 2023.
4. Diverseco have completed the fabrication of the steel weighbridge components, which are now ready to be shipped to site, however they would prefer to complete the concrete foundations prior to shipping the components.

COMMENT

5. Nil.

CONSULTATION

6. Executive Team and Engineering Technical Officer

STATUTORY ENVIRONMENT

7. Section 6.8 of the *Local Government Act 1995* and Regulation 34 of the Local Government (Financial Management) Regulations 1996 apply.

POLICY IMPLICATIONS

8. Nil.

FINANCIAL IMPLICATIONS

9. Nil, project is within budget.

RISK MANAGEMENT

10. Proceeding with this variation will exhaust the planned contingencies in the project budget, thus reducing the Shire Officer’s ability to deal with other issues that may arise later in the project, potentially necessitating a future budget amendment. However at this stage no such issues have been identified.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Financial risks	Unlikely	Moderate	Medium	Good project management

ALTERNATE OPTIONS

11. Remove the foundation works from the works package awarded to Diverseco and find an alternative foundation builder. There are several potential risks with this approach:
- a) claims by Diverseco for damages and delays;
 - b) warranty problems should the weighbridge not operate correctly;
 - c) delays finding a new supplier;
 - d) quotes from a new supplier may be more expensive than Diverseco.

STRATEGIC ALIGNMENT

12. This item is relevant to the Council’s 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
5.3	The Council, with the support of the community, is an effective advocate for resources and facilities which support the vision for the future

VOTING REQUIREMENTS

13. Simple Majority

OFFICER RECOMMENDATION

That Council ENDORSE the recommendation to award a variation in the amount of \$59,470 to Diverseco.

Moved: _____ Seconded: _____

Carried: _/_

12.3 INFRASTRUCTURE SERVICES

12.3.2 GRAVEL SIDE-TIPPER VEHICLE (RA-1421)

File Reference:	PE.TE.1
Location:	Shire of Ravensthorpe
Applicant:	N/A
Author:	Executive Manager Infrastructure Services
Authorising Officer	Chief Executive Officer
Date:	15 December 2022
Disclosure of Interest:	Nil
Attachments:	Nil
Previous Reference:	Nil

PURPOSE

1. To obtain Council's approval to repair the gravel side-tipping trailer P577 (RA-1421) rather than trading it in, requiring an increase to the Plant and Equipment budget of \$75,400.

BACKGROUND

2. The Shire's road construction team currently operates three gravel trailers, two Mack prime movers and a DAF 8-wheeler tip truck. The current Plant Replacement Program includes:
 - a) Like-for-like replacement of existing gravel side-tipping trailer P577 (RA-1421) built by HaulPro in 2008 with a new trailer. Purchase Order #22132 was awarded to G&A Lombardi on 20 April 2021 in the amount of \$100,730+GST, which included new trailer works of \$126,530 and a trade-in value of \$15,400 for the old trailer. Delivery of the new trailer is expected in December 2022, but final dates have not yet been confirmed. The plan is to collect the trade-in at the same time.
 - b) Purchase of an excavator to replace the high maintenance and aging P559 (RA 35798) 8-wheeler truck. Purchase Order #24322 has been awarded to Komatsu in the amount of \$221,540+GST for the new excavator against a budget of \$270,000. P559 has not been sold yet.
3. This approach would result in Council receiving an upgraded trailer at approximately 50% of the cost of a new trailer and in a much shorter time frame.

COMMENT

4. Following these changes, the road construction team will be able to run one Mack with one side-tipping trailer and the other Mack as a road train with two side-tipping trailers providing significant efficiency benefits of the second trailer.
5. Shire Officers have identified the benefits of operating both Mack prime movers as road trains with two trailers each, however to do this a fourth trailer is required. With this in mind, repairing P577 (RA-1421) rather than trading it in could be the preferred option. Inspections have been done with cost estimates of around \$60,000 within a timeframe of 1 to 2 months. Shire Officers have discussed the cancellation of the trade with G&A Lombardi, who are open to the proposal.

CONSULTATION

6. Executive Team and Works Supervisor.

STATUTORY ENVIRONMENT

7. Section 6.8 of the *Local Government Act 1995* and Regulation 34 of the Local Government (Financial Management) Regulations 1996 apply.

POLICY IMPLICATIONS

8. Nil

FINANCIAL IMPLICATIONS

9. Would require additional expenditure of up to \$60,000 from the Plant Reserve for the repair works and reduced income to the Plant Reserve from the cancellation of trade-in proceeds amounting to \$15,400, a combined increase of \$75,400.

RISK MANAGEMENT

10. Proceeding with this repair work could identify unexpected issues in the old trailer, however this is considered unlikely as the potential repairer has inspected the vehicle.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Financial risks	Unlikely	Moderate	Medium	Good project management

ALTERNATE OPTIONS

11. Trade the trailer with G&A Lombardi as originally planned and not repairing or replacing the trailer at this time. Operate with current fleet until a suitable business case is developed to purchase new trailer at a full commercial price, which have risen since the G&A Lombardi quote of \$126,530 and long delivery time frames of 18-24 months being typical.

STRATEGIC ALIGNMENT

12. 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
5.3	The Council, with the support of the community, is an effective advocate for resources and facilities which support the vision for the future

VOTING REQUIREMENTS

13. Absolute Majority.

OFFICER RECOMMENDATION

That Council ENDORSE BY ABSOLUTE MAJORITY:

- a) **Amendment to the 2022-2023 Plant and Equipment budget to enable the cancellation of the \$15,400 trade-in of P577; and**
- b) **Provision of a new budget item of \$60,000 for the repair of P577, effecting a combined budget increase of \$75,400 from the Plant and Equipment Reserve.**

Moved: _____

Seconded: _____

Carried BY ABSOLUTE MAJORITY __ / __

12.4 DEVELOPMENT AND COMMUNITY

12.4.1 LEASE – SHIRE OF RAVENSTHORPE AND HOPETOUN SENIOR CITIZENS AND ASSOCIATES INCORPORATED

File Reference:

Location: Shire of Ravensthorpe

Applicant: Acting Executive Manager Development and Community

Author: Acting Executive Manager Development and Community

Authorising Officer: Chief Executive Officer

Date: 08 November 2022

Disclosure of Interest: Nil

Attachments: (GREEN) Lease – Mary Ann Haven Community Centre, Veal Street, Hopetoun –Shire of Ravensthorpe - Hopetoun Senior Citizens and Associates Incorporated

Previous Reference: Nil

PURPOSE

1. For Council to consider the approval of the new Draft Lease between The Shire of Ravensthorpe and the Hopetoun Senior Citizens and Associates Incorporated for the land and premises located at 37 Veal Street, Hopetoun (Mary Ann Haven). This is a requirement under the Shire of Ravensthorpe Policy LLP12 Leases and Licences Policy.

BACKGROUND

2. The existing lease agreement between the Shire and the Hopetoun Seniors was executed in July 2007. The lease was approved by the Minister for Lands for the purposes of section 18 of the Land Administration Act 1997 for a period of 21 years. The original agreement had several deficiencies, including the lease of the whole of the land for the reserve 7661, Lot 641.
3. The Shire commenced consultation with the Hopetoun Seniors in July 2022 with a view to renewing the lease, redefining the land to the portion of land used by the Hopetoun Seniors, revising the maintenance regime and bringing the lease in line to the current Shire commercial lease template. This is understood to be subject to Council approval and approval for a further 21 year management order by the Minister for Lands over the reserve.

COMMENT

4. The Hopetoun Seniors are a well-established community organisation. The premises is well used and the group's membership has expressed its wish to continue with the current use of the premises. The building is well maintained and offers various community services.

CONSULTATION

5. Consultation has been with the Shire Executive and the committee of the Hopetoun Seniors.

STATUTORY ENVIRONMENT

6. The Lease is subject to the approval of the Minister for Lands under the *Land Administration Act 1997*, for the continued use of the land under a management order.

POLICY IMPLICATIONS

7. Shire of Ravensthorpe LLP12 Leases and Licences Policy.

FINANCIAL IMPLICATIONS

8. The Lease is subject to the Shire’s Leases and Licences Policy, LLP12.
9. Clause LLP12.3 of the Policy provides special principles relating to certain categories of Property. Community Leases are considered under the relevant conditions and rent for community groups leasing property for community purposes is subsidised by the Shire at a subsidised peppercorn rent.

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational)	Unlikely	Minor	Very Low	Continuation of current performance with multi-purpose activities encouraged.
Financial	Unlikely	Insignificant	Low	Shire provision of subsidised peppercorn rent Hopetoun Seniors continue to be run by a committee as an Incorporated body
Environmental	Rare	Insignificant	Very Low	Maintain current use of the property. Property used for multi-purpose activities
Reputational	Unlikely	Minor	Low	The Hopetoun Seniors historically have a high level of performance and continue to provide community service

ALTERNATE OPTIONS

11. Council do not approve Lease renewal for the Hopetoun Seniors in the existing premises.

STRATEGIC ALIGNMENT

12. 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 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
3.5	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
5.5	The value of community owned assets is maintained

VOTING REQUIREMENTS

13. Simple Majority

OFFICER RECOMMENDATION

That Council APPROVE the Draft Lease for the Hopetoun Senior Citizens and Associates Incorporated, subject to the Minister for Lands approval of the use of the land by the Shire under a new Order of Management.

Moved: _____

Seconded: _____

Carried: __/__

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

16 CLOSURE

The Presiding Member to declare the meeting closed.