



# MINUTES **Confirmed**

Ordinary Meeting of Council  
Tuesday, 20 September 2022



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# MINUTES

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

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## 1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 6.02pm.

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

## 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

### **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**

Nil.

### **APOLOGIES**

Cr Graham Richardson

### **LEAVE OF ABSENCE**

Nil.

### **3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE** **Ordinary Council Meeting held on 16 August 2022 in Munglinup**

#### **Peter Kirchner – Roads**

##### **Question 1 – Taken on Notice:**

*Why don't the Shire of Ravensthorpe graders have a roller on the back, so that the gravel road can be rolled at the same time that it is graded?*

*Mr Kirchner went on to comment about the condition of the roads, that Melaleuca Rd, Munglinup is a mud slide and his road train got bogged yesterday. Mrs Rae Kirchner commented that she could only travel at 40kms/hour in 4WD low range, and still slid all over the road.*

##### **Answer 1:**

Cr Mark Mudie provided a brief response, advising that Graeme Steel, previous Technical Services Manager, removed the rollers and replaced with a 'ripper' for sand blow-outs. There is only 1 roller at the Shire and a few graders. Once the grader has gone over the road, a truck with gravel fills in the holes. If this is left loose it just blows out quickly. The recent heavy rain events haven't made it easy and the Shire works crew are working really hard but can't keep up with the amount of work.

Mr Matthew Bird, CEO supported Cr Mudie's comments saying that with all the recent rains, it has been very difficult to get on top of all the works that needs doing. The Shire Works Supervisor and his roads crew are working hard, but with 1,300kms of unsealed roads in the Shire to maintain and with 4 graders, only 25kms a day can get done. Mr Bird took the Question on Notice.

On 18 August 2022, Mr Matthew Bird, CEO responded further, that in a previous review of the Shire's road grading equipment and approach, it was determined that grader machinery be equipped with rippers rather than rollers to deliver the required road program at the time. The Shire operates 4 graders and one roller and is responsible for maintaining some 1,300 kms of unsealed road network that is utilised by a mix of local industry, community and visitors. It is an ongoing challenge to deliver and maintain high standards of road condition to all users all year round.

Recent rain weather events have rendered most of our unsealed network temporarily unusable for periods of time. The Shire communicates the state of road condition to local users via its SMS notification system and via social media messaging. This messaging is done to ensure road safety for all users and includes specific messaging to heavy vehicle operators not to use these roads at these times to avoid major and additional damage to the network.

In addition, in response to Mr Kirchner's question, on Wednesday 10 August 2022 the Shire issued an SMS notice advising that all unsealed roads were closed to all heavy traffic until further notice. Additional notifications were provided maintaining the heavy vehicle closure on 10 and 11 August 2022 and further notification advising re-opening of all unsealed roads on Friday 12 August. Due to further heavy rainfall received throughout the district on Monday 15 and Tuesday 16 August, notifications were communicated on 16 August advising closure of all unsealed roads to heavy traffic and re-opening notification then advised on Thursday 18 August.

Road condition assessment and notification during major rain events can be challenging for a large district and road network the size of the Ravensthorpe shire. Officers also have to make road access decisions balancing need for community and industry essential access, timeliness and duration, damage to the road infrastructure and ultimately safety to the road users.

Officers are currently reviewing the Shire's communication strategy and will include a review of road closure notifications in this process to ensure greater clarity in our messaging. Messaging also includes asking road users to exercise caution and drive to the localised conditions of the road and weather.

Mr Bird advised that the Shire has appointed a new Executive Manager Infrastructure Services who will commence mid-September and he will be tasked with reviewing the Shire's current road management approach including appropriate plant and machinery utilisation.

**Question 2 – Taken on Notice:**

*Why doesn't the Shire of Ravensthorpe apply for funding to bituminise more roads? Other Shires are working towards bituminising more of their roads, except Ravensthorpe.*

**Answer 2:**

Mr Matthew Bird, CEO took the question on notice, advising that the newly appointed Executive Manager Infrastructure Services, due to commence in mid-September, will be notified to provide a response.

**Mr Kieran Barrett – Exit lights and Smoke Alarms – Munglinup Community Centre**

**Question 1 -Taken on Notice:**

*When are the Exit lights and hard-wired Smoke alarms going to be installed in the Munglinup Community Centre? Mr Barrett commented that these works have been outstanding for quite some time.*

Ms Natalie Bell, Executive Manager Development and Community took the question on notice to investigate, as she was not aware of any outstanding works.

**Answer 1:**

Ms Natalie Bell, Executive Manager Development and Community Services, contacted Ms Rachel Gibson, President of the Munglinup Community Group to ascertain whether the works related to a proposed new structure, which has not yet been built, or whether they relate to outstanding works. Ms Gibson advised Ms Bell that her conversation was with the previous Technical Services Officer, Ms Vicki Clarke, who, at the time, was following up on a list of items of works to be carried out on the Munglinup Community Centre building. Ms Gibson advised that the Munglinup Community Group had not raised any of the items as an issue, and upon a recent review, the building has exit lights inside near each door and a number of smoke alarms/detectors inside the meeting room, which is a compliance requirement.

**Ms Amy Nelson – Shire website information on events and news of the district**

**Question 1:**

*Ms Nelson queried where on the Shire's website could she find information on events and news of the district? Ms Nelson commented that the Shire website is very difficult to navigate and find what you're looking for.*

**Answer 1:**

Cr Tom Major advised that the Ravensthorpe and Hopetoun CRCs have very good information on their websites, and the RAIN Calendar of Events is also a good source of current and upcoming events.

The CEO advised that the Shire has recently appointed a Media and Communications Officer who is charged with updating the website, and will be advised to include Ms Nelson's contact details on the list of subscribers.

**4. PUBLIC QUESTIONS TIME**

Nil.

**5. DECLARATIONS OF INTEREST**

Nil.

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

7.1 ORDINARY COUNCIL MEETING MINUTES 16 AUGUST 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.

**COUNCIL DECISION**

**Moved by Cr Major, seconded by Cr Leighton**

**Resolution: 61/22**

**That the Minutes and associated attachments of the Ordinary Meeting of the Shire of Ravensthorpe held on 16 August 2022 is CONFIRMED as a true and correct record.**

**Motion put and CARRIED**

**(6/0)**

Cr Graham Richardson was absent for the vote

**8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS**

**Cr Tom Major**

- Attended the Bush Fire Advisory Committee (BFAC) Meeting held on 13 September in Corrigin with discussion on the February fires that impacted the town. The meeting discussed exploring an option to allocate an ID system to each vehicle that enters the fire ground, to be administered by the Shire. Another discussion was on the BFAC Group's functionality with only twice yearly meetings. It was agreed that the CBCO, Deputies x 2, Fire Control Officers x 2, CESM, a Shire Exec Management Team representative and Risk Management Coordinator (Malcom Grant) will meet monthly or as required to address issues. This should enable the two annual BFAC meetings to be more functional and strategic.

Cr Mudie enquired if there were any discussions on the cause of the Corrigin fire, as he had heard on the media the possibility of the Fire Control Officers being charged because they issued a Permit to Burn. The farmer lit his canola stubble and it smouldered for 2 to 3 days, then a big wind blew up and the fire reignited burning surrounding farming areas. Cr Mudie advised that he would like to know the outcome of the investigation, commenting that we don't want to place our Fire Control Officers in such a position. The FCO's job is to place conditions on the Permits.

Cr Major advised that all communications went down, due to the Telstra towers going down and this was a big issue.

- Attended the Ravensthorpe Wildflower Show Opening Night.
- Attended the RAIN Field Day on 14 September 2022. Matthew Bird, CEO and Ted Kilbey, Works Supervisor attended and raised the issue of the Shire sourcing gravel for roadworks. Farmers in attendance voiced their disapproval to obtain gravel from their land. Farmers recommended the Shire extract the gravel from road reserves.
- Attended the Galaxy Street Parade and Country Carnival on the weekend – thanked the Shire workers for all their hard work preparing the main street and the carnival area. It was a good event and well attended.

**Cr Julia Bell**

- Reported that her Camel Museum Open Day was very successful. The producers of 'Australian Story' have contacted Cr Bell.

**Cr Rachel Livingston**

- Attended the Ravensthorpe Wildflower Show Opening Night.
- Attended the Galaxy Street Parade and Country Carnival.
- Cr Livingston acknowledged both communities' volunteers and it being a privilege to attend both well organised events, saying "it makes me very proud to be a member of the community".

**Cr Mark Mudie**

- Attended the RAIN Field Day on 14 September 2022.

**Cr Keith Dunlop, SP**

- Attended the Galaxy Community Consultation group Meeting with FQM on 1 September 2022. A productive meeting discussing management and servicing their accommodation (houses). FQM will give a presentation at the October Corporate Discussion Meeting.

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

Nil

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

Nil.

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

Nil.

## 12. REPORTS OF OFFICERS

### 12.1 EXECUTIVE SERVICES

#### 12.1.1 NEW POLICY – LPP14 MINING INDUSTRY POLICY AND PROCEDURE

<b>File Reference:</b>	<b>CM.PO.1</b>
<b>Location:</b>	<b>Shire of Ravensthorpe</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Author:</b>	<b>Chief Executive Officer</b>
<b>Authorising Officer</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>9 September 2022</b>
<b>Disclosure of Interest:</b>	<b>N/A</b>
<b>Attachments:</b>	<b>1. Draft Shire of Ravensthorpe LPP14 Mining Industry Policy 2. Mining Industry Procedure 3. Mining Industry Letter Template</b>
<b>Previous Reference:</b>	<b>N/A</b>

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#### **PURPOSE**

1. This report presents a draft Policy (refer to Attachment #1) for consideration by Council and recommends that Council adopt the draft Policy for the purposes of seeking public comment.

#### **BACKGROUND**

2. The Shire of Ravensthorpe has a strong history involving mining, dating back to the discovery of gold, copper and other minerals in the Ravensthorpe Range at the end of 19<sup>th</sup> century.
3. Current activity includes two active mining tenements producing Nickel and Spodumene which is exported globally through Esperance port.
4. The area is well known for its mineralogy value and within the past 20 years the local communities within the Shire have experienced the severe impacts of boom bust cycles relating to mining activities.
5. The current resurgence in global demand for precious metals and the resulting increases to commodity prices has reignited interest in the region by mining proponents.
6. In addition to the currently producing local mining operations, most recently there has been a significant increase in applications for exploration licences within the region.
7. In recognition of this increased activity Shire Officers have prepared a draft policy having regard for relevant legislation and state policy provisions.
8. The draft Shire of Ravensthorpe LPP14 Mining Industry Policy intends to provide guidelines for Council and Shire Officers in dealing with mining resources activities within the region.

#### **COMMENT**

9. The Department of Mines, Industry Regulation and Safety (DMIRS) is responsible for regulating mineral exploration and development activities in WA under the Mining Act 1978. DMIRS was formed on 1 July 2017, as a result of merging the Department of Commerce and Department of Mines and Petroleum.



10. DMIRS' operations are divided into 6 areas including the "Resource and Environmental Regulation Group". Its purpose is to regulate the mining industry sector and to ensure the State's resources are developed in a sustainable and responsible manner.
11. In terms of approval processes and areas of authority, local governments do not have any regulatory role to play in assessment or determination of any application made under the *Mining Act 1978* (Mining Act) and *Petroleum and Geothermal Energy Resources Act 1967* (PGER Act) and planning approval is not required for these activities.
12. While there is no requirement under legislation for consultation and no statutory role for local government in approval of permits and enforcements, DMIRS does have Guidelines which are used in the assessment of proposals under the relevant Acts. These Guidelines recommend consultation with the local government and establish that a proponent is required to demonstrate the consultation undertaken when an application is submitted with DMIRS. Further, proponents undertaking such activities may also seek to engage with local government in any regard.
13. The draft Shire of Ravensthorpe Mining Industry Policy is to guide the Shire's response and position in the event proponents or the State request comment or engagement with the Shire or Council, and to clearly outline to proponents the community expectations on environmental management, as well as social and economic benefits to be derived from these extractive activities.
14. The Shire's Strategic Community Plan and Corporate Business Plan supports diversification of local industries and employment including mining, however also require that the local natural environment is valued and protected for the enjoyment of current and future generations. The proposed Shire Mining Policy requests applicants to include measures to deliver positive economic benefits to the local economy but not at the expense of the natural environment.
15. The *Local Government Act 1995* establishes that the local government is responsible for provision of infrastructure to support a community. Projects approved under the Mining Act can often be of a scale, and involve activities, which impact upon local infrastructure which the local government is responsible for developing/maintaining. The most common impacts can include impacts on local roads. In larger projects, this can also extend to community facilities and townships that may be utilised to support the future workforce.
16. It is important that when the Shire is engaged in a consultation exercise with a mining proponent that the Shire requests the applicant to demonstrate potential impacts that are anticipated to Shire infrastructure and that the Shire is adequately compensated for any impacts.

## **CONSULTATION**

17. Shire Executive Team.
18. This report seeks Council approval to release the draft Shire Mining Industry Policy to the public for comment. Once public comment is received and reviewed, the Policy will be re-presented to Council for further consideration and possible adoption.

## **STATUTORY ENVIRONMENT**

19. As previously stated, local governments do not have any regulatory role to play in assessment or determination of any application made under the *Mining Act 1978* (Mining Act) and

*Petroleum and Geothermal Energy Resources Act 1967* (PGER Act) and planning approval is not required for these activities.

## POLICY IMPLICATIONS

20. Once public comment is received and reviewed Council will be asked to review a final policy. If approved, the policy will form part of the Council Policy Manual and provide guidance to Council and Shire Officers with regards to Mining activities within the Shire of Ravensthorpe.

## FINANCIAL IMPLICATIONS

21. Nil.

## RISK MANAGEMENT

22. The following risks were identified as part of this report.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance; the lack of a Council position on mining activity within the shire does not provide clear direction to Shire officers when asked to respond to mining applications.	Possible	Moderate	Medium	Shire considers adopting a Mining Policy to clearly outline community expectations to mining proponents and State.
Financial; mining projects may have significant impact to shire assets and infrastructure	Likely	Major	High	The Shire mining policy to request proponents consider impacts to the Shire and community.
Environmental; uncontrolled mining activity may impact areas of high biodiversity value and overall amenity of the region	Possible	Major	High	The Shire mining policy to request proponents consider impacts to the natural environment
Reputational; Council's endorsed Mining Policy does not accurately reflect community sentiment on the matter.	Possible	Major	High	Council approves the advertising of the draft policy for public comment prior to final consideration and possible adoption.

## ALTERNATE OPTIONS

23. Council may not approve the draft to seek public comment.

## STRATEGIC ALIGNMENT

24. 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
2.4	People have access to attractive community facilities, activities and events which support activity and health, community involvement and enjoyment of life

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

Item	Objectives and Strategies
3.1	The Shire of Ravensthorpe has appropriate housing choice available to the community
3.2	New development (including commercial) is of a high quality and contributes positively to the character and appearance of the town
3.3	The towns of the Shire have attractive streetscapes in keeping with local character

**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

25. Simple Majority

## COUNCIL DECISION

Moved by Cr Bell, seconded by Cr Livingston

**Resolution: 62/22**

**That Council APPROVES the circulation of the draft Shire of Ravensthorpe LPP14 Mining Industry Policy and Attachments for Public Comment for a period of 21 days.**

**Motion put and CARRIED**

**(6/0)**

Cr Graham Richardson was absent for the vote

## 12.2 CORPORATE SERVICES

### 12.2.1 MONTHLY FINANCIAL REPORT – 31 AUGUST 2022

<b>File Reference:</b>	<b>N/A</b>
<b>Location:</b>	<b>Shire of Ravensthorpe</b>
<b>Applicant:</b>	<b>Nil</b>
<b>Author:</b>	<b>Senior Finance Officer</b>
<b>Authorising Officer</b>	<b>Executive Manager Corporate Services</b>
<b>Date:</b>	<b>12 September 2022</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachment: <u>RED</u></b>	<b>Monthly Financial Reports for August 2022</b>
<b>Previous Reference:</b>	<b>Nil</b>

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#### 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 2022 Monthly Financial Reports.

#### COMMENT

3. The August 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;

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
Reputational – That Council does not receive the financial activity statements as required by S6.4 of the LG Act 1995.	Rare	Insignificant	Very Low	That Council receives the financial activity statements as required by legislation.

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## ALTERNATE OPTIONS

9. Nil.

## STRATEGIC ALIGNMENT

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

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

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

## VOTING REQUIREMENTS

11. Simple Majority

## COUNCIL DECISION

Moved by Cr Leighton, seconded by Cr Mudie

**Resolution: 63/22**

**That Council RECEIVES the 31 August 2022 Monthly Financial Reports as presented.**

**Motion put and CARRIED**

**(6/0)**

Cr Graham Richardson was absent for the vote

## 12.2 CORPORATE SERVICES

### 12.2.2 SCHEDULE OF ACCOUNT PAYMENTS – AUGUST 2022

<b>File Reference:</b>	<b>GR.ME.8</b>
<b>Location:</b>	<b>Shire of Ravensthorpe</b>
<b>Applicant:</b>	<b>Shire of Ravensthorpe</b>
<b>Author:</b>	<b>Finance Officer</b>
<b>Authorising Officer</b>	<b>Executive Manager Corporate Services</b>
<b>Date:</b>	<b>15 September 2022</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments: <u>RED</u></b>	<b>(a) Schedule of Payments to 31 August 2022</b> <b>(b) Credit Card Transactions to 01 August 2022</b> <b>(c) Creditors List of Accounts Paid August 2022</b>
<b>Previous Reference:</b>	<b>Nil</b>

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#### 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 01/08/2022 – 31/08/2022  
**Schedule of Payments to 31 August 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					0	0	
Oct					0	0	
Nov					0	0	
Dec					0	0	
Jan					0	0	
Feb					0	0	
Mar					0	0	
Apr					0	0	
May					0	0	
Jun					0	0	
<b>Total</b>	<b>22,598</b>	<b>2,480,160</b>	<b>198,338</b>	<b>9,432</b>	<b>0</b>	<b>2,710,528</b>	<b>612,118</b>
<b>21/22</b>	<b>109,610</b>	<b>11,455,728</b>	<b>1,217,128</b>	<b>101,107</b>	<b>0</b>	<b>12,883,572</b>	<b>4,057,812</b>
<b>20/21</b>	<b>219,357</b>	<b>8,442,181</b>	<b>965,406</b>	<b>135,103</b>	<b>0</b>	<b>9,762,047</b>	<b>3,790,863</b>
<b>19/20</b>	<b>197,977</b>	<b>8,450,678</b>	<b>997,212</b>	<b>102,791</b>	<b>6,319</b>	<b>9,754,977</b>	<b>3,174,082</b>
<b>18/19</b>	<b>147,967</b>	<b>21,298,438</b>	<b>1,329,904</b>	<b>70,241</b>	<b>13,590</b>	<b>22,860,140</b>	<b>2,219,053</b>
<b>17/18</b>	<b>327,905</b>	<b>18,507,404</b>	<b>209,587</b>	<b>65,010</b>	<b>317,445</b>	<b>19,427,351</b>	<b>2,601,283</b>

### COMMENT

3. 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 costings and the amounts shown have been paid.

### CONSULTATION

4. Senior Finance Officer

### 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 Mudie, seconded by Cr Major**

**Resolution: 64/22**

**That Council ACCEPTS, pursuant to Regulation 13 of the *Local Government (Financial Management) Regulations 1996*, payment of accounts for the month of August 2022.**

**Motion put and CARRIED**

**(6/0)**

Cr Graham Richardson was absent for the vote



## **12 REPORTS OF OFFICERS**

### **12.3 INFRASTRUCTURE SERVICES**

Nil.

## 12 REPORTS OF OFFICERS

### 12.4 DEVELOPMENT AND COMMUNITY

#### 12.4.1 NEW POLICY: LPP13 ITINERANT TRADING POLICY

<b>File Reference:</b>	<b>CM.PO.1</b>
<b>Location:</b>	<b>Shire of Ravensthorpe</b>
<b>Applicant:</b>	<b>Acting Executive Manager Development and Community</b>
<b>Author:</b>	<b>Acting Executive Manager Development and Community</b>
<b>Authorising Officer</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>12 September 2022</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments:</b> <u>BLUE</u>	<b>1. Policy No. LPP13 Itinerant Trading Policy</b> <b>2. Letters of Support</b>
<b>Previous Reference:</b>	<b>Nil</b>

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#### PURPOSE

1. For Council to consider the draft Local Planning Policy: Itinerant Trading to be incorporated into the Shire of Ravensthorpe Council Policy Manual.

#### BACKGROUND

2. The Shire of Ravensthorpe encourages retail and hospitality vibrancy that would reinforce the positioning of Ravensthorpe as a developing tourism Shire.
3. The Shire acknowledges and values its local business community and recognises that there are business opportunities that can occur on a temporary basis. The Shire is also committed to promoting small business initiatives in a sustainable and fair manner.
4. The Shire was approached on 23 March 2022 by a prospective local small business entrepreneur proposing a mobile food van and the appropriate procedures to obtain approvals to operate on Shire owned land.
5. The current Local Planning Policy: Alfresco Dining and Trading in Public Places is not inclusive of food vans and thus has created the need for a new policy. This policy will provide direction to Shire Employees in the processing of applications for trading in public place in accordance with the Shire of Ravensthorpe's Local Planning Policy: Alfresco Dining and Trading in Public Places and the Local Government Property Local Law 2010. The Policy will also provide a clear set of conditions for operators to trade under.

#### COMMENT

6. The Itinerant Traders Policy is applicable in instances where businesses and/or individuals seek to use public land to operate a business for financial gain where land is owned or controlled by the local government.
7. The objectives to implementing this policy would be:
  - To facilitate opportunities for itinerant traders that would add to the public enjoyment and use of local government area, while not reducing safety or access to public land;
  - To ensure existing local businesses are not significantly disadvantaged; and
  - To provide a consistent and coordinated process for the assessment for itinerant traders within the municipality.

## CONSULTATION

8. This Local Planning Policy has been proposed by the Chief Executive Officer to assist with the development approval process in creating a consistent and coordinated procedure. Consultation has initially been provided through the Fitzgerald Business Network, with Council endorsement for Community consultation approved at the June 2022 OCM.
9. The Draft Policy was available on the Shire Website for public comment for a period of 21 days. Printed copies of the Draft Policy were distributed to the Hopetoun and Ravensthorpe CRCs and hand-delivered to Hopetoun businesses on Veal Street.
10. Two comments were received during this period, one from the Hopetoun Progress Association and one from a community member (refer to Attachment #2).

## STATUTORY ENVIRONMENT

- *Food Act 2008.*
- Food Regulations 2009.
- Australia New Zealand Food Standards Code.
- Local Government Property Local Law 2010.
- Environmental Protection (Noise) Regulations 1997.
- Environmental Protection (Unauthorised Discharge) Regulations 2004.
- National Competition Policy: Noting Australia's National Reform Agenda is the successor program to the National Competition Policy. Clause 7 of the Competition Principles Agreement extended.

## POLICY IMPLICATIONS

11. Local Planning Policy: Alfresco Dining and Trading in Public Places.

## FINANCIAL IMPLICATIONS

12. Fees and charges will be as per the 2022/23 Council Fees and Charges, to be submitted to Council at Budget adoption.

## RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational); The lack of clear guidelines to shire officers in the handling of potential itinerant traders/food vans applications can lead to poor Shire performance and reputation	Possible	Moderate	Medium	Council consider adopting a IT policy to guide the management of these applications
Reputation; itinerant traders can add vitality to a visitor destination however must be balanced with local bricks and mortar businesses.	Possible	Moderate	Medium	Council to seek local business and community feedback on the draft policy prior to formal consideration.

## ALTERNATE OPTIONS

14. Council may decide not to endorse as presented in whole or in part.

## STRATEGIC ALIGNMENT

15. This item is relevant to the Council's approved Strategic Community Plan 2020-2030 and Corporate Business Plan 2018-2022.

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

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

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

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

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

Item	Objectives and Strategies
3.3	The towns of the Shire have attractive streetscapes in keeping with local character

**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
5.7	Customer service and other corporate systems are of high quality

## VOTING REQUIREMENTS

16. Absolute Majority

## COUNCIL DECISION

**Moved by Cr Livingston, seconded by Cr Bell**

**Resolution: 65/22**

**That Council, BY AN ABSOLUTE MAJORITY ADOPT LPP13 Itinerant Trading Policy as presented.**

**Motion put and CARRIED BY ABSOLUTE MAJORITY**

**(6/0)**

Cr Graham Richardson was absent for the vote

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

Nil.

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

Nil.

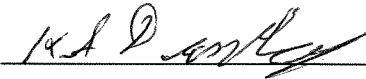
**15 MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS**

Nil

**16 CLOSURE**

The Presiding Member declared the meeting closed at 6.21pm.

These minutes to be confirmed at the meeting of 18 October 2022.

**Signed by the Shire President:**  \_\_\_\_\_

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

Date: 18 October 2022