



MINUTES

For the Council Meeting held on

Thursday 20 December, 2018

Commencing at 5 p.m.

In the Council Chambers, Ravensthorpe.



SHIRE OF RAVENSTHORPE

DISCLAIMER

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In particular and without derogating in any way from the broad 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 Ravensthorpe Shire Council during the course of any meeting is not intended to be and is not taken as notice of approval from the Ravensthorpe Shire Council. The Ravensthorpe Shire Council warns that anyone who has an application lodged with the Ravensthorpe Shire Council must obtain and only should rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Ravensthorpe Shire Council in respect of the application.


Bob Jarvis
A/Chief Executive Officer

16/1/2019

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**Shire of Ravensthorpe
Notice of Ordinary Council Meetings**

In accordance with the Local Government Act 1995 and Administration Regulation 12 (1) it, is hereby notified that as from January 2018 to December 2018, Ordinary Council meetings of the Shire of Ravensthorpe will be held as follows:

| | | |
|--------------------------|---------------------------------------|-------------|
| January 2018 | No meetings scheduled | |
| 12 February 2018 | Ravensthorpe Council Chambers- Forum | 1 pm |
| 15 February 2018 | Ravensthorpe Council Chambers | 5 pm |
| 12 March 2018 | Ravensthorpe Council Chambers - Forum | 1 pm |
| 15 March 2018 | Hopetoun Community Centre | 5 pm |
| 16 April 2018 | Ravensthorpe Council Chambers - Forum | 1 pm |
| 19 April 2018 | Ravensthorpe Council Chambers | 5 pm |
| 14 May 2018 | Ravensthorpe Council Chambers - Forum | 1 pm |
| 17 May 2018 | Hopetoun Community Centre | 5 pm |
| 18 June 2018 | Ravensthorpe Council Chambers - Forum | 1 pm |
| 21 June 2018 | Ravensthorpe Council Chambers | 5 pm |
| 16 July 2018 | Ravensthorpe Council Chambers - Forum | 1 pm |
| 19 July 2018 | Hopetoun Community Centre | 5 pm |
| 13 August 2018 | Ravensthorpe Council Chambers – Forum | 1pm |
| 16 August 2018 | Ravensthorpe Council Chambers | 5pm |
| 17 September 2018 | Ravensthorpe Council Chambers – Forum | 1pm |
| 20 September 2018 | Ravensthorpe Council Chambers | 5pm |
| 15 October 2018 | Ravensthorpe Council Chambers - Forum | 1 pm |
| 18 October 2018 | Ravensthorpe Council Chambers | 5 pm |
| 12 November 2018 | Ravensthorpe Council Chambers - Forum | 1 pm |
| 15 November 2018 | Hopetoun Community Centre | 5 pm |
| 17 December 2018 | Ravensthorpe Council Chambers- Forum | 1 pm |
| 20 December 2018 | Ravensthorpe Council Chambers | 5 pm |

Ratepayers and residents are welcome to attend the council meetings and participate in the Public Question time session which are held at the beginning of each Council Meeting.

Ian Fitzgerald
Chief Executive Officer
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, RAVENSTHORPE
ON 20 DECEMBER 2018, COMMENCING AT 5PM

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**2. ATTENDANCE / APOLOGIES/ APPROVED LEAVE OF ABSENCE**

MEMBERS: Cr Keith Dunlop (Shire President)
Cr Julianne Belli (Deputy Shire President)
Cr Kerry Dickinson
Cr Ian Goldfinch
Cr Thomas Major
Cr Graham Richardson
Cr Peter Smith (arrived 5.20 pm)

STAFF: Ian Fitzgerald (Chief Executive Officer)
Helen Coleman (Personal Assistant)

APOLOGIES: Darren Kennedy (Manager of Corporate and Community Services)

ON LEAVE OF ABSENCE:

ABSENT:

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE Nil**4. PUBLIC QUESTION TIME**

Ken Norman made a statement from 5.00pm to 5.07pm. He sought and received clarification on several points surrounding the issue of the suspension of an employee. He was assured that the issue was nothing to do with the Chief Executive Officer and that the matter would be independently investigated.

5. APPLICATIONS FOR, AND PREVIOUSLY APPROVED, LEAVE OF ABSENCE AND DISCLOSURES OF INTEREST**6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS****7. CONFIRMATION OF MINUTES****7.1 COUNCIL MEETING – 15 NOVEMBER, 2018**

COUNCIL DECISION

ITEM 7.1

Seconded: Cr Richardson

Moved: Cr Goldfinch

That the minutes of the meeting of council held on 15 November, 2018 be confirmed as a true and correct record of proceedings.

Carried: 6/0

Res: 154/18

8. SUSPENSION OF STANDING ORDERS**9. ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS****10. REPORTS OF OFFICERS****10.1 MANAGER OF CORPORATE AND COMMUNITY SERVICES****10.1.1 SCHEDULE OF ACCOUNT PAYMENTS – NOVEMBER 2018****File Ref:****Applicant:** Not applicable**Location:** Not applicable**Disclosure of Officer Interest:** None**Date:** 7 November, 2018**Author:** Wendy Spaans – Admin/Creditors Officer**Authorising Officer:** Darren Kennedy – Manager of Corporate and
Community Services**Attachments:** 10.1.1.1 Schedule of Payments to 30 November 2018
10.1.1.2 Credit Card Transactions to 31 October 2018

Summary:

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

Background:

Period 1/7/2018 – 30/11/2018

2018/19

| Month | Cheques | EFT Pymts | Direct Debits | Credit Card | Trust | Total Creditors | Payroll |
|--------------|----------------|-------------------|----------------|---------------|----------------|-------------------|------------------|
| Jul | 1,367 | 2,442,344 | 90,290 | 12,115 | 950 | 2,547,065 | 174,327 |
| Aug | 37,082 | 2,032,888 | 225,672 | 5,618 | 688 | 2,301,948 | 212,428 |
| Sep | 10,479 | 887,060 | 53,711 | 5,559 | 2,617 | 959,426 | 173,926 |
| Oct | 10,076 | 1,922,570 | 115,844 | 8,636 | 2,049 | 2,059,175 | 123,007 |
| Nov | 13,107 | 1,535,900 | 76,461 | 6,003 | 1,815 | 1,633,285 | 161,814 |
| Dec | | | | | | 0 | |
| Jan | | | | | | 0 | |
| Feb | | | | | | 0 | |
| Mar | | | | | | 0 | |
| Apr | | | | | | 0 | |
| May | | | | | | 0 | |
| Jun | | | | | | 0 | |
| Total | 72,112 | 8,820,761 | 561,978 | 37,931 | 8,119 | 9,500,900 | 845,502 |
| 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:

N/A

Statutory Obligations:

Regulation 13 (1) – (3) of the **Local Government (Financial Management) Regulations 1996**

Policy Implications:

N/A

Budget / Financial Implications:

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

Strategic Implications:

N/A

Sustainability Implications:

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

Voting Requirements:

Simple majority

| | |
|---|-------------------------|
| COUNCIL DECISION | ITEM 10.1.1 |
| Moved: Cr Belli | Seconded: Cr Richardson |
| That pursuant to Regulation 13 of the <i>Local Government (Financial Management) Regulations 1996</i> , the payment of accounts for the month of November 2018, be noted. | |
| Carried: 6/0 | Res: 155/18 |

10.1.2 MONTHLY FINANCIAL REPORT – 30 NOVEMBER 2018

| | |
|--|--|
| File Ref: | |
| Applicant: | Internal |
| Location: | Not applicable |
| Disclosure of Officer Interest: | None |
| Date: | 8 November 2018 |
| Author: | Darren Kennedy Manager Corporate & Community Services |
| Authorising Officer: | Not applicable |
| Attachments: | 10.1.2.1 – Monthly Financial Report for November 2018 |

Summary:

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

Background:

Council is requested to review the November 2018 Monthly Financial Report.

Comment:

The November 2018 Monthly Financial Report is presented for review.

Consultation:

Chief Executive Officer

Statutory Obligations:

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

Policy Implications:

Nil

Budget / Financial Implications:

All expenditure has been approved via adoption of the 2017/18 Annual Budget, or resulting from a Council Motion for a budget amendment.

Strategic Implications:Strategic Community Plan 2014 – 2024

Theme 4 – Civic Leadership: 4.2 High quality corporate governance, accountability & compliance.

Risk

| Risk | Risk Likelihood (based on history and with existing controls) | Risk Impact / Consequence | Risk Rating (Prior to Treatment or Control) | Principal Risk | Risk Action Plan (Controls or Treatment proposed) |
|----------------------------------|---|---------------------------|---|--|---|
| Not meeting Statutory Compliance | Rare (1) | Moderate (3) | Low (1-4) | Failure to meet Statutory, Regulatory or Compliance Requirements | Accept COUNCIL DECISION |

Sustainability Implications:

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

Voting Requirements:

Simple majority

| | |
|---|--------------------|
| COUNCIL DECISION | ITEM 10.1.2 |
| Moved: Cr Dickinson | Seconded: Cr Major |
| That Council receive the November 2018 Monthly Financial Report as presented. | |
| Carried: 6/0 | Res: 156/18 |

10.2 MANAGER OF PLANNING AND DEVELOPMENT

10.2.1 AMENDED LOCAL PLANNING POLICY MANUAL

| | |
|-----------------------------|--------------------------------------|
| File Ref: | NA |
| Applicant: | Internal |
| Location: | Shire of Ravensthorpe |
| Date: | 13 November 2018 |
| Author: | Richard Hindley |
| Authorising Officer: | Ian Fitzgerald |
| Attachments: | Amended Local Planning Policy Manual |

Summary:

For Council to consider proceeding with a review of Local Planning Policies as a result of the Gazettal of Amendment 1 to Local Planning Scheme No. 6.

Background:

With the recent gazettal of Amendment 1 to Local Planning Scheme No. 6 it is now appropriate to commence a review of the Local Planning Policies to ensure that they are fit for purpose.

Site Description

Shire of Ravensthorpe

Zoning and Scheme Requirements

Were the policies are only the subject of a minor amendment they need not be advertised in accordance with Clause 5(2) of the Deemed Provisions (set out in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*). The Policy is required to be advertised under Clause 4(4) of the Deemed Provisions and will not have effect until a notice of adoption it published in a newspaper circulating in the Scheme area.

Where a policy is revoked notification occurs by the publication of a notice of revocation in a newspaper circulating in the Scheme area in accordance with Clause 6.

Where the policies are the subject of a major amendment they are required to be advertised in accordance with Clause 4 of the deemed provisions.

Comment:

The proposed modifications and the required action are outlined for each Local Planning Policy.

Proposal

Sportsfields Advertising Signs

The modification to this policy is minor in nature changing planning approval to development approval.

It is considered that the proposed amendment to the policy is a minor amendment and as such need not be advertised for comment in accordance with Clause 5(2) of the Deemed Provisions.

Advertising Signs

The modifications to this policy are minor in nature changing planning approval to development approval and correction of a spelling error. The largest change is the deletion of the exemption provisions of the policy which are now incorporated into Local Planning Scheme No. 6.

It is considered that the proposed amendment to the policy is a minor amendment and as such need not be advertised for comment in accordance with Clause 5(2) of the Deemed Provisions.

Outbuildings

The modifications to this policy are minor in nature changing planning approval to development approval, correcting zone names and adding the Rural Smallholdings zone that was inserted into the Scheme by Amendment No. 1

It is considered that the proposed amendment to the policy is a minor amendment and as such need not be advertised for comment in accordance with Clause 5(2) of the Deemed Provisions.

Housing

There are a range of modifications proposed to this policy. Modifications relate to changing planning approval to development approval. Incorporating the Rural Smallholdings zone that was inserted into the Scheme by Amendment No. 1.

In addition to the exemptions provision is removed because it is duplicated by the Deemed Provisions of the Scheme specifically Clause 61(1)(k).

The density for which connection to a reticulated sewerage system is proposed to be amended to be consistent with the requirement of the government sewerage policy.

The repurposed dwelling clause is proposed to be deleted as it is covered by Clause 4.27.2 of Local Planning Scheme No. 6.

The table is also amended remove the references to 'Front fence' and 'Side & Rear' fence as these are covered by the Shires Fencing Local Law.

This policy will need to be advertised in accordance with Clause 4 of the deemed provisions.

Second-hand Dwellings

This policy is proposed to be revoked as it is now covered by Clause 4.27 of Local Planning Scheme No. 6.

Shipping Containers

This policy is proposed to be revoked as it is now covered by Clause 4.38 and Schedule A Cl 61(1)(o) of Local Planning Scheme No. 6.

Industrial Design Guidelines

There are a range of modifications proposed to this policy. An overlap of similar provision is addressed, the Exemptions provision is removed, planning approval is changed to development approval and the development standards table is removed as it is covered by Schedule 2 of Local Planning Scheme No. 6.

The reference to Australian Standard 2890.1 Off-Street Parking is removed as it is duplicated in Clause 4.18.1 of Local Planning Scheme No. 6.

The fencing section of the policy is removed because it is inconsistent with the Fencing Local Law.

It is considered that the proposed amendment to the policy is a minor amendment due to the majority of the changes being retained in the form of other controls and as such need not be advertised for comment in accordance with Clause 5(2) of the Deemed Provisions.

Extractive Industry

The modifications to this policy are minor in nature changing planning approval to development approval and the removal of a footnote reference that is not related to a footnote.

It is considered that the proposed amendment to the policy is a minor amendment and as such need not be advertised for comment in accordance with Clause 5(2) of the Deemed Provisions.

Public Open Space – 3-5 Lot Subdivision

No changes are proposed to this policy.

Alfresco Dining & Trading in Public Places

The modifications to this policy are minor in nature changing planning approval to development approval.

It is considered that the proposed amendment to the policy is a minor amendment and as such need not be advertised for comment in accordance with Clause 5(2) of the Deemed Provisions.

Farm Forestry

The modifications to this policy are minor in nature changing planning approval to development approval and correcting zone names.

It is considered that the proposed amendment to the policy is a minor amendment and as such need not be advertised for comment in accordance with Clause 5(2) of the Deemed Provisions.

Holiday Homes

The modifications to this policy are minor in nature changing planning approval to development approval.

It is considered that the proposed amendment to the policy is a minor amendment and as such need not be advertised for comment in accordance with Clause 5(2) of the Deemed Provisions.

Development in Bushfire Prone Areas

The modifications to this policy are minor in nature changing planning approval to development approval and correcting zone names.

It is considered that the proposed amendment to the policy is a minor amendment and as such need not be advertised for comment in accordance with Clause 5(2) of the Deemed Provisions.

Assessment

The following table summarised what section of the Regulations the proposed policy amendment falls under including a summation of the action involved.

UNCONFIRMED

| Policy | Section of Regulations | Action |
|---|---|---|
| <ul style="list-style-type: none"> Housing | Clause 4 of the Deemed Provisions | <ul style="list-style-type: none"> Advertise for comment for not less than 21 days. Council review in light of any submissions. Policy applies from advert advising of adoption. |
| <ul style="list-style-type: none"> Sportsfields Advertising Signs Advertising Signs Outbuildings Industrial Design Guidelines Extractive Industry Alfresco Dining & Trading in Public Places Farm Forestry Holiday Homes Development in Bushfire Prone Areas | Clause 4 and 5 (2) of the Deemed Provisions | <ul style="list-style-type: none"> Policy applies from advert advising of adoption. |
| <ul style="list-style-type: none"> Second-hand dwellings Shipping Containers | Clause 6(b) of the Deemed Provisions | <ul style="list-style-type: none"> Policy revoked from advert advising of revocation of policy. |
| <ul style="list-style-type: none"> Public Open Space – 3-5 Lot Subdivision | N/A – no changes proposed | N/A |

Conclusion

Due to the recent Gazettal of Amendment No. 1 to Local Planning Scheme No. 6 a number of modifications are required to the Local Planning Policies. This item commences the review process.

Consultation:

As these policies are being amended under Clause 4 of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 they will need to be advertised not less than 21 days.

Were the policies are only the subject of a minor amendment they need not be advertised in accordance with Clause 5(2) of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule.

Where a policy is revoked notification occurs by the publication of a notice of revocation in a newspaper circulating in the Scheme area.

Statutory Obligations:

Division 2 of Part 2 of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2)

Planning and Development Act 2005

Policy Implications:

This item relates to policy development.

Local Planning Policies are guidelines used to assist the local government in making decisions under the Local Planning Scheme and may address land use as well as development requirements. Although Local Planning Policies are not part of the Local Planning Scheme they must be consistent with, and cannot vary, the intent of the Local Planning Scheme provisions. In considering an application for Planning Approval, the local government must have due regard to a Local Planning Policy as required under Clauses 3(5) and 67 of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2.

Budget / Financial Implications:

None for Council

Strategic Implications:

The proposal is to do with the following theme of the Strategic Community Plan:

Theme 1:

A healthy, strong and connected community that is actively engaged and involved;

Outcome 1.2 “Vibrant & attractive townsite”.

Sustainability Implications:

- **Environmental:**

There are no known significant environmental considerations.

- **Economic:**

There are no known significant economic considerations.

- **Social:**

There are no known significant social considerations.

Risk

| Risk | Risk Likelihood (based on history existing controls) | Risk Impact / Consequence | Risk Rating (Prior to Treatment or Control) | Principal Risk | Risk Action Plan (Controls or Treatment proposed) |
|----------------------------------|--|---------------------------|---|--|---|
| Not meeting Statutory Compliance | Rare (1) | Moderate (3) | Low (1-4) | Failure to meet Statutory, Regulatory or Compliance Requirements | Accept COUNCIL DECISION |

Voting Requirements:

Simple majority

| | |
|---|--------------------|
| COUNCIL DECISION | ITEM 10.2.1 |
| Moved: Cr Dickinson | Seconded: Cr Major |
| That Council: | |
| 1. In accordance with Clause 4 of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2) amend the following Local Planning Policies: | |
| a. Housing | |
| 2. In accordance with Clause 4 and 5 (2) of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2) amend the following Local Planning Policies: | |
| a. Sportsfields Advertising Signs | |
| b. Advertising Signs | |
| c. Outbuildings | |
| d. Industrial Design Guidelines | |
| e. Extractive Industry | |
| f. Alfresco Dining & Trading in Public Places | |
| g. Farm Forestry | |
| h. Holiday Homes | |
| i. Development in Bushfire Prone Areas | |
| 3. In accordance with Clause 6(b) of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2) revoke the following Local Planning Policy: | |
| a. Second-hand dwellings | |
| b. Shipping Containers | |
| Carried: 6/0 | Res: 157/18 |

10.3 MANAGER OF ENGINEERING SERVICES

Nil

UNCONFIRMED

10.4 CHIEF EXECUTIVE OFFICER

10.4.1 COUNCIL MEETING DATES - 2019

File Ref:

Applicant:

Location: Not applicable

Disclosure of Officer Interest: None

Date: 10th December 2018

Author: Ian Fitzgerald – Chief Executive Officer

Authorising Officer: Not applicable

Attachments: Not applicable

Summary:

Council is required to determine meeting dates for 2019.

Background:

In accordance with the Local Government Act 1995, Council is required to advertise Council meeting dates at least once per annum.

Comment:

A recommended 2019 schedule of Agenda Setting Forums and Council meetings is as follows including the date for the Special Council Meeting to be held following the biennial local government elections where the newly elected councillors will be sworn in and the President, Deputy President and Councillor Delegate' positions will be voted upon:

| DATE | | LOCATION | TIME |
|--------------------------|--|--------------------------------------|------------|
| January 2019 | No meetings Scheduled | | |
| 18 February 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 21 February 2019 | Council Meeting | Ravensthorpe Council Chambers | 5pm |
| 18 March 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 21 March 2019 | Council Meeting | Munglinup Community Centre | 5pm |
| 15 April 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 18 April 2019 | Council Meeting | Hopetoun Community Centre | 5pm |
| 13 May 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 16 May 2019 | Council Meeting | Ravensthorpe Council Chambers | 5pm |
| 17 June 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 20 June 2019 | Council Meeting | Hopetoun Community Centre | 5pm |
| 15 July 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 18 July 2019 | Council Meeting | Ravensthorpe Council Chambers | 5pm |
| 12 August 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 15 August 2019 | Council Meeting | Hopetoun Community Centre | 5pm |
| 16 September 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 19 September 2019 | Council Meeting | Ravensthorpe Council Chambers | 5pm |
| 14 October 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 17 October 2019 | Council Meeting | Hopetoun Community Centre | 5pm |
| 21 October 2019 | Special Council Meeting – Elections | Ravensthorpe Council Chambers | 5pm |
| 18 November 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 21 November 2019 | Council Meeting | Hopetoun Community Centre | 5pm |
| 16 December 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 19 December 2019 | Council Meeting | Ravensthorpe Council Chambers | 5pm |

All Monday Council Forums are scheduled to be held in Ravensthorpe Council Chambers.

Consultation:

Meeting dates will be advertised in the Community Spirit, Community Resource Centres, Council notice board and the Esperance Express.

Statutory Obligations:

The Local Government Act 1995, Local Government (Administration Regulations, require that the meetings for the year be advertised for public information).

Policy Implications:

Nil

Budget / Financial Implications:

Nil

Strategic Implications:Strategic Community Plan 2014 – 2024

Theme 4 – Civic Leadership: 4.2 High quality corporate governance, accountability & compliance.

Risk:

| Risk | Risk Likelihood (based on history and with existing controls) | Risk Impact / Consequence | Risk Rating (Prior to Treatment or Control) | Principal Risk | Risk Action Plan (Controls or Treatment proposed) |
|----------------------------------|---|---------------------------|---|---|---|
| Not meeting statutory compliance | Rare (1) | Moderate (3) | Low (1-4) | Failure to meet statutory compliance requirements | Accept COUNCIL DECISION |

Sustainability Implications:

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

Voting Requirements:

Simple majority

COUNCIL DECISION

Moved: Cr Dickinson

ITEM 10.4.1

Seconded: Cr Major

That the dates for Council Meetings in 2019 be set as:

| | | | |
|--------------------------|--|--------------------------------------|------------|
| January 2019 | No meetings Scheduled | | |
| 18 February 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 21 February 2019 | Council Meeting | Ravensthorpe Council Chambers | 5pm |
| 18 March 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 21 March 2019 | Council Meeting | Munglinup Community Centre | 5pm |
| 15 April 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 18 April 2019 | Council Meeting | Hopetoun Community Centre | 5pm |
| 13 May 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 16 May 2019 | Council Meeting | Ravensthorpe Council Chambers | 5pm |
| 17 June 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 20 June 2019 | Council Meeting | Hopetoun Community Centre | 5pm |
| 15 July 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 18 July 2019 | Council Meeting | Ravensthorpe Council Chambers | 5pm |
| 12 August 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 15 August 2019 | Council Meeting | Hopetoun Community Centre | 5pm |
| 16 September 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 19 September 2019 | Council Meeting | Ravensthorpe Council Chambers | 5pm |
| 14 October 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
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| 21 October 2019 | Special Council Meeting – Elections | Ravensthorpe Council Chambers | 5pm |
| 18 November 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 21 November 2019 | Council Meeting | Hopetoun Community Centre | 5pm |
| 16 December 2019 | Council Forum | Ravensthorpe Council Chambers | 1pm |
| 19 December 2019 | Council Meeting | Ravensthorpe Council Chambers | 5pm |

Carried: 6/0

Res: 158/18

10.4.2 POLICY – G 20 PREVENTION OF DISTURBANCE**File Ref:**

| | |
|--|--|
| Applicant: | Internal |
| Location: | Shire of Ravensthorpe |
| Disclosure of Officer Interest: | None |
| Date: | 13 th December 2018 |
| Author: | Ian Fitzgerald – Chief Executive Officer |
| Authorising Officer: | N/A |
| Attachments: | G 20 Prevention of Disturbance Policy |

Summary:

Council has discussed adopting a policy in relation to use of mobile phones in Chambers during meetings and a draft was presented to the November Forum Meeting.

The policy is now presented for Council's consideration and adoption.

Background:

The use of mobile phones in Chambers was raised as a concern by some and the development of a policy was recommended.

Comment:

The administration presented Council with a draft policy at the November Forum meeting that is based around a similar section in the Standing Orders.

The policy is now presented for Councils formal adoption.

Consultation:

Nil

Statutory Obligations:

Local Government Act (1995)

Policy Implications:

The Prevention of a Disturbance Policy is a new Council Policy.

Budget / Financial Implications:

Nil

Strategic Implications:Strategic Community Plan 2014 – 2024

Theme 4 – Civic Leadership: 4.2 High quality corporate governance, accountability & compliance.

Risk:

| Risk | Risk Likelihood (based on history and with existing controls) | Risk Impact / Consequence | Risk Rating (Prior to Treatment or Control) | Principal Risk | Risk Action Plan (Controls or Treatment proposed) |
|--|---|---------------------------|---|--|---|
| Not meeting acceptable meeting standards | Rare (1) | Moderate (3) | Low (1-4) | Disturbance to other members in attendance at the meeting. | Accept COUNCIL DECISION |

Sustainability Implications:

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

Voting Requirements:

Simple majority

| | |
|---|-------------------------|
| COUNCIL DECISION | ITEM 10.4.2 |
| Moved: Cr Goldfinch | Seconded: Cr Richardson |
| That Council adopts the Prevention of Disturbance Policy. | |
| Carried: 6/0 | Res: 159/18 |

11. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**12. BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING****12.1 ELECTED MEMBERS****12.2 OFFICERS**

| | |
|--|--------------------|
| COUNCIL DECISION | ITEM 12.2 |
| Moved: Cr Goldfinch | Seconded: Cr Belli |
| That council accept a late item from the Chief Executive Officer | |
| Carried: 6/0 | Res: 160/2018 |

12.2.1 PLANT PURCHASES**File Ref:****Applicant:**

Not applicable

Location:

Not applicable

Disclosure of Officer Interest:

None

Date:20th December 2018**Author:**

Ian Fitzgerald – Chief Executive Officer

Authorising Officer:

N/A

Attachments:

None

Summary:

Council to endorse the Chief Executive Officer's intention to purchase the construction loader, maintenance grader and skid-steer loader as outlined in the 2018/19 budget and detailed in this item.

Background:

The shire currently owns three motor graders, two of which are utilised as maintenance graders and one motor grader carrying out road construction activities. The machine to be replaced in this year's budget is one of the maintenance grader that being a 2012 John Deere 670 GP machine.

The construction loader due for changeover is a 2010 John Deere 624K and the skid-steer loader (purchased second-hand by Council) is a 2014 GEHL machine.

Comment:

The machines are due for replacement in accordance with Council Policy A16.

A request for tender was published via WALGA E Quotes in November 2018 with a closing date of 7th December 2018.

The trade machines will be offered by sale by public auction once the new machines have been delivered – but prior to June 30 2019. Auction of plant items in the past has produced good financial results for Council.

The tenders received are as follows:

| Plant Item | Tenderer | Model | Budget | Tendered Price(ex GST) |
|-------------------|--------------------------|-----------------|-----------|------------------------|
| Loader | Westrac | 950M | \$310,000 | \$311,243.89 |
| | Westrac | 950GC | | \$261,500.40 |
| | Komatsu | WA430-6 | | \$298,500.00 |
| | Hitachi | ZW250-5 | | \$282,820.00 |
| | Hitachi | ZW220-5 | | \$265,200.00 |
| Grader | Westrac | 12M - 14' | \$330,000 | \$340,900.00 |
| | Komatsu | GD655_5 | | \$337,000.00 |
| | Hitachi | 670GP | | \$378,300.00 |
| Skid Steer | Clark equipment (bobcat) | T870 RS HF | \$100,000 | \$120,150.00 |
| | Kubota | SVL95-2s | | \$93,698.00 |
| | Westrac | 299D2 XHP AC | | \$155,415.30 |
| | Westrac | 299D2AC | | \$140,866.19 |
| | Westrac | 279DAC | | \$115,220.00 |
| | Westrac | 289D LRC | | \$120,090.00 |

The tenders have been reviewed and assessed against price, fit for purpose and warranty offered.

Consultation:

A/Manager of Engineering Services

Technical Officer

Former Manager of Engineering Services

Statutory Obligations:

As part of compliance with the Local Government Act 1995 (WA) the Western Australian Local Government association (WALGA) have provided a procurement procedures such as E-Quotes and a procurement handbook for the purchase of goods and services without the need for long and costly public tenders. The suppliers who provided quotes are all on the WALGA Approved Supplier Panel.

Policy Implications:

The plant purchases are in accordance with Council Vehicle Policy A16.

Budget / Financial Implications:

The amounts listed in the table above have been provided for in the 2018/19 adopted statutory budget. The purchases combined will exceed the budget by \$11,890 but may be offset by savings in further plant purchases in the current budget and/or increased income from sale of existing machines.

Strategic Implications:

The plant purchase is in accordance with the 2018/2019 Plant Replacement Program.

3.1 Effective transport networks:

3.1.1 Transport networks which meet the needs of all users - Level of implementation of Asset Management Plans

3.1.2 Transport networks which meet the needs of Agriculture, Tourism and Mining industries - Level of implementation of Asset Management Plans

Community engagement – a number of activities available.

Risk:

| Risk | Risk Likelihood (based on history and with existing controls) | Risk Impact / Consequence | Risk Rating (Prior to Treatment or Control) | Principal Risk | Risk Action Plan (Controls or Treatment proposed) |
|---|---|---------------------------|---|---|---|
| Not meeting community expectations Increased maintenance costs Increased cost of changeover | Rare (1) | Minor (2) | Low (2) | Failure to meet expectations and incur additional costs | Accept Officer Recommendation |

Sustainability Implications:

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

Voting Requirements:

Simple Majority

| | |
|--|------------------------|
| COUNCIL DECISION | ITEM 12.2.1 |
| Moved: Cr Goldfinch | Seconded: Cr Dickinson |
| That council lay this item on the table until their next meeting | |
| Carried: 6/0 | Res: 161/2018 |

13. MATTERS BEHIND CLOSED DOORS

| | |
|--|------------------------|
| COUNCIL DECISION | ITEM 13.1 |
| Moved: Cr Belli | Seconded: Cr Goldfinch |
| That Council close the meeting to the public to allow discussion on a confidential matter related to a staff member. | |
| Carried: 6/0 | Res:162 /18 |

*5.14pm All visitors left the meeting***13.1.1 APPOINTMENT OF MANAGER ENGINEERING SERVICES**

| | |
|--|------------------------|
| COUNCIL DECISION | ITEM 13.1.1 |
| Moved: Cr Belli | Seconded: Cr Dickinson |
| That Council endorse the Chief Executive Officer's decision to appoint Mr Graham Steel to the position of Manager of Manager of Engineering Services on the terms and conditions as outlined in the contract of employment. Commencing on 7th January 2019 and continue for a term of four (4) years concluding at the close of business on 6th January 2023 unless it is earlier terminated in accordance with this Contract. | |
| Carried: 6/0 | Res:163 /18 |

COUNCIL DECISION ITEM 13.1.2.1

Moved: Cr Dickinson

Seconded: Cr Belli

This council of the Shire of Ravensthorpe move a vote of no confidence in Mr Ian Fitzgerald of the Ravensthorpe Shire

Carried: 5/2

Res:164 /18

COUNCIL DECISION ITEM 13.1.2.2

Moved: Cr Dickinson

Seconded: Cr Goldfinch

This council informs Mr Ian Fitzgerald that he has been dismissed from his position as CEO of Ravensthorpe as of this Thursday 20th December 2018. A lump sum of his entitlements is to be paid to cover the period to the previous agreed date in April 2019

Carried: 5/2

Res:165 /2018

COUNCIL DECISION ITEM 13.1.2.3

Moved: Cr Goldfinch

Seconded: Cr Major

Mr Mike Fitzgerald is to be informed his services are not required.

Carried: 5/2

Res: 166/2018

COUNCIL DECISION ITEM 13.1.2.4

Moved: Cr Belli

Seconded: Cr Smith

That the Shire of Ravensthorpe re-join the WALGA Industrial Relations Managers

Carried: 7/0

Res:167 /2018

14. CLOSURE OF MEETING 7.16pm

These minutes were confirmed at the meeting of the _____

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

Date: _____

UNCONFIRMED