



Agenda

Ordinary Meeting
of Council

Tuesday, 16 April 2024

Commencing at 6.00pm

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NOTICE OF MEETING

Notice is hereby given that the

Shire of Ravensthorpe

Ordinary Council Meeting

Will be held on
Tuesday, 16 April 2024
Commencing at 6.00pm
Council Chambers
Ravensthorpe Cultural Precinct

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: _____
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)

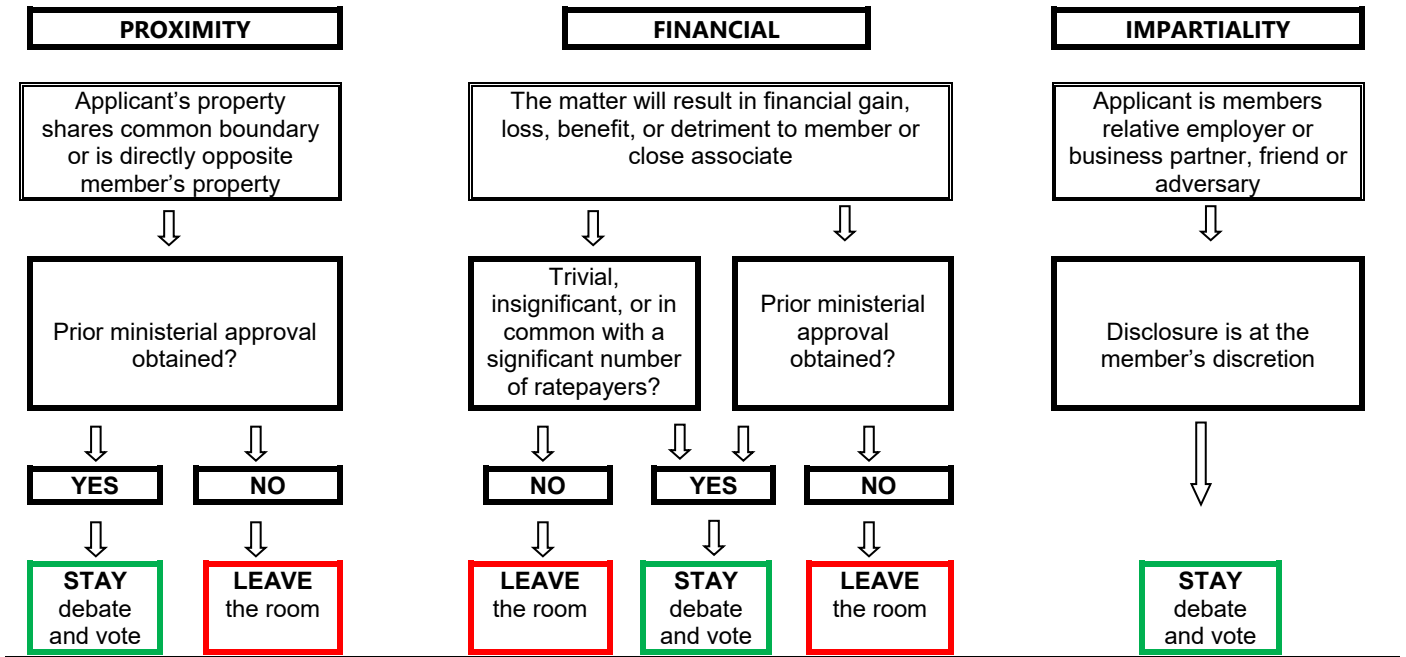
Signed: _____ Date: / /

- **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.

Shire President: _____ 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 acknowledges the Traditional Owners of the land on which we meet, and pays respect to Elders past, present, and emerging.

The Shire President advises visitors in adhering to both the *Local Government Act 1995*, and the Shire of Ravensthorpe Meeting Procedures Local Law 2022, it is an offence to record the proceedings of this meeting and visitors are to switch off any recording devices, including phones.

2. RECORD OF ATTENDANCE, APOLOGIES AND APPROVED LEAVE OF ABSENCE

ELECTED MEMBERS:

Cr Thomas Major	(Shire President)
Cr Mark Mudie	(Deputy Shire President)
Cr Rachel Gibson	
Cr Robert Miloseski	
Cr Graham Richardson	Cr
Sue Leighton	

OFFICERS:

Matthew Bird	(Chief Executive Officer)
Natalie Bell	(Executive Manager Projects and Regulatory Services)
Les Mainwaring	(Executive Manager Corporate Services)

VISITORS

Nil.

APOLOGIES

Paul Spencer	(Executive Manager Infrastructure Services)
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LEAVE OF ABSENCE

Nil.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

The following questions were taken on notice from the March Ordinary Council Meeting.

Ms. Liz Aberline

RE: Esplanade clearing

Q1. Why was this done as there are areas cleared that are not opposite houses?

Shire response; These areas were cleared in response to the Shires bi-annual Shire of Ravensthorpe Townsites Bushfire Review reports, undertaken by an external independent consultant. The aim is to reduce the bushfire attack levels (BAL) within the townsites. Recommendations from the 2022 report and the updates in the 2024 report, along with mapping were provided under separate cover to Ms Aberline.

Q2. This was Hopetoun's only sheltered walk; why was the community not consulted?

Shire response; The vegetation cleared and mulched was weedy wattle, understory and dead eucalypts. As part of the Shire's Bushfire Management Plan the Shire informs local community when we plan to undertake prescribed burning due to potential smoke hazards. We do not typically inform community when we undertake mechanical works or other machinery type of activities.

Q3. Are the cleared areas to be left bare?

Shire response; No. The native wattle will resprout and be kept in a mowed and low/short state. The area is currently covered by mulch.

Q4. If not left bare, will shrubs replace what has been removed?

Shire response; The Acacia rostifilerra will resprout.

Q5. If not left bare, will seeds be sown by hand, leaving non-shaded areas for walkers for quite some time?

Shire response; The burnt windrows will create ashbeds for the establishment of the next generation eucalypts and coastal tea tree.

Q6. Is it being planned that the foredunes are to be removed?

Shire response; No, this has not been considered at any level within the Shire.

Mr. Larry Baker

Q4. Larry queried why there was no ballot postal box made available at the Hopetoun Shire office for the October 2023 local government elections?

Shire response; Neither of the Shire administration offices in Hopetoun nor Ravensthorpe were ballot collection points as part of the October 2023 local government elections. This was operated as a postal election and all ballots were received through the post offices. Shire customer service officers redirected those returning ballots to either Hopetoun or Ravensthorpe post offices. The main reason was to ensure ballot security and integrity of ballot handling. A ballot collection box under the control of the WAEC was setup at the Ravensthorpe shire offices (designated counting location) on the Saturday before the election count to provide last minute ballot submissions, as Post Offices were closed.

Q7. Larry asked what was the status of the old Hopetoun power station and could it be rehabilitated and repurposed?

Shire response: The Shire made contact with Horizon Power to ascertain status of the Hopetoun power station site. Horizon Power indicated that they have plans in place to upgrade the shed and clean the area and this should be completed by the end of August. Horizon Power intend to retain the land for future use. The yard is still in use as a remote depot and used to ensure required equipment is available to minimise unplanned outages when they occur and to store material when maintenance programs are undertaken.

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 19 MARCH 2024

(Attachment 7.1)

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 19 MARCH 2024 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

Nil.

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

11.1 **RAVENSTHORPE BUSH FIRE ADVISORY COMMITTEE (BFAC) AGM AND ORDINARY MEETINGS MINUTES AND RECOMMENDATIONS**

File Reference:	ES.ME.1
Location:	N/A
Applicant:	Bush Fire Advisory Committee
Author:	Executive Manager Projects and Regulatory Services
Authorising Officer	Chief Executive Officer
Date:	2 April 2024
Disclosure of Interest:	Nil
Attachments:	11.1 <ol style="list-style-type: none">1. BFAC AGM Meeting Minutes (Unconfirmed) 18 March 20242. BFAC General Meeting Minutes (Unconfirmed) 18 March 20243. OWG Minutes dated 19 February 20244. Draft Shire of Ravensthorpe Fire Control Notice5. Shire of Ravensthorpe DRAFT Bushfire Operating Procedures
Previous Reference:	N/A

PURPOSE

1. The BFAC is a committee of Council, formed under Council Policy LO2 in order to promote and encourage volunteerism and to make the Shire of Ravensthorpe a safe community by managing fire risk.

BACKGROUND

2. LO2 provides for the Annual General Meeting to be held in March. The meeting precipitates the elections for nominations to Council of Chief Bush Fire Control Officer (CBFCO), Deputy Chief Bush Fire Control Officers (DCBFCO) and Deputy Chairperson of the BFAC. Recent changes to the Policy require that a Council member, or alternatively the Shire Chief Executive Officer, sit as the Chairperson. Shire President, Tom Major, has accepted this position. Fire Control Officers (FCO's), the gazetted Fire Weather Officer and Dual Shire Fire Control Officers are also confirmed.

COMMENT

3. The nominations for CBFCO, DCBFCO's and Deputy Chairperson were uncontested. FCOs were nominated by their respective brigades and all were endorsed at the AGM.

CONSULTATION

4. Bush Fire Advisory Committee

STATUTORY ENVIRONMENT

5. *Bush Fires Act 1954*

POLICY IMPLICATIONS

6. LO2 – Shire of Ravensthorpe Bush Fire Advisory Committee

FINANCIAL IMPLICATIONS

7. Nil.

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational)	Possible	Minor	Low	Improved communication through Operational Working Group to BFAC. Introduction of Standard Operating Procedures Increased advocacy for operational funding Increased training options and requirements
Financial	Rare	Insignificant	Low	Ensure recommendations of BFAC are put forward after whole of committee consultation Increased advocacy for LGGS funding and other grant opportunities
Environmental	Rare	Insignificant	Very Low	Continue to review current fire-fighting practices to improve operational effectiveness SOPs introduce fall-back and containment requirements and rehabilitation procedures
Reputational	Unlikely	Minor	Low	Continue to provide advice to BFAs. Work closely with DFES and DBCA for coordinated and effective approaches Promote fire safety to the community through public education and involvement

ALTERNATE OPTIONS

9. Council do not endorse the recommendations

STRATEGIC ALIGNMENT

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

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

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

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

Item	Objectives and Strategies
2.2	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
3.4	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
4.3	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

11. Simple Majority

BFAC COMMITTEE RECOMMENDATION

That Council:

- RECEIVE the Unconfirmed Minutes of the Bush Fire Advisory Committee Annual General Meeting and Ordinary Meeting held 18 March 2024; and**
- ENDORSE the following nominations as detailed in the Minutes of the Annual General Meeting held on 18 March 2024:**

ELECTION OF DEPUTY CHAIRMAN

BFAC COMMITTEE DECISION AND RECOMMENDATION TO COUNCIL

That Keith Rowe be endorsed as the BFAC Committee Deputy Chair.

ELECTION OF CHIEF BUSH FIRE CONTROL OFFICER

BFAC COMMITTEE DECISION AND RECOMMENDATION TO COUNCIL

That Rod Daw be endorsed as the Shire of Ravensthorpe Chief Bush Fire Control Officer.

ELECTION OF DEPUTY CHIEF BUSH FIRE CONTROL OFFICERS

BFAC COMMITTEE DECISION AND RECOMMENDATION TO COUNCIL

That Gavin Gibson, Rian Duncan and Malcom Grant be endorsed as the Shire of Ravensthorpe Deputy Chief Bush Fire Control Officers

NOMINATION FIRE WEATHER OFFICER

BFAC COMMITTEE DECISION AND RECOMMENDATION TO COUNCIL

That Rod Daw be endorsed as the Shire of Ravensthorpe Fire Weather Officer.

CONFIRMATION OF ELECTED FIRE CONTROL OFFICERS

BFAC COMMITTEE DECISION AND RECOMMENDATION TO COUNCIL

That all confirmed Fire Control Officers be endorsed as the Shire of Ravensthorpe 2024 – 2025 Fire Control Officers.

**SHIRE OF RAVENSTHORPE
2024/25 FIRE CONTROL OFFICERS**

Nominee	BFB	Nominated By	Seconded
Gary Webster	Cocanarup	Mark Mudie - All	Keith Rowe - All
Luke Webster	Cocanarup		
Andy Daw	East Ravensthorpe		
Devon Burton	East Ravensthorpe		
Malcolm Grant	East Ravensthorpe		
Rod Daw	East Ravensthorpe		
Stott Redman	Hopetoun Rural		
Courtney Foulds	Hopetoun Rural		
Andrew Venning (Permits only)	Hopetoun Rural		
James Mollet	Jerdacuttup		
Matthew Bell	Jerdacuttup		
Paul Bell	Jerdacuttup		
Brad Clarke	Mt Short		
Peter Belli	Mt Short		
Richard Norrish	Mt Short/W River		
Gavin Gibson	Munglinup		
Bernard Featherston Hall	Munglinup		
Samuel Fetherstonhaugh*	Munglinup		
Brodie Wickstein*	Munglinup		
Kieren Barrett*	Munglinup		
Reece Laycock	North Ravensthorpe		

Andrew Chambers	North Ravensthorpe		
Kye Chambers	North Ravensthorpe		
Chad Tuckett	North Ravensthorpe		
Keith Rowe	Cocanarup	Rod Daw	Mark Mudie
Peter Kuiper	West River		
Mark Mudie	West River	Rod Daw	Keith Rowe
Rian Duncan	West River		
Brett Kershaw	West River		
Peter Nankervis (Permits only)	Hopetoun VFES		

FCO's were nominated as a group

NOMINATION FOR DUAL FIRE CONTROL OFFICERS TO NEIGHBOURING LOCAL GOVERNMENTS

BFAC COMMITTEE DECISION AND RECOMMENDATION TO COUNCIL

That all Dual Fire Control Officers be endorsed as the Shire of Ravensthorpe 2024 – 2025 Dual Fire Control Officers.

- Shire of Esperance

Nominee	Nominated By	Seconded
Gavin Gibson	Rod Daw	Mark Mudie
Bernard Fetherstonhaugh	Rod Daw	Mark Mudie
Paul Bell	Rod Daw	Mark Mudie

- Jerramungup Shire

Nominee	Nominated By	Seconded
Mr Rian Duncan	Rod Daw	Mark Mudie
Mr Peter Kuiper	Rod Daw	Mark Mudie
Mr Brett Kershaw	Rod Daw	Mark Mudie
Mark Mudie	Rod Daw	Rian Duncan

- Lake Grace Shire

Nominee	Nominated By	Seconded
Mr Chad Tuckett	Rod Daw	Kye Chambers
Mr Reece Laycock	Rod Daw	Kye Chambers

3. **NOTE the Bush Fire Advisory Committee endorsement that the Shires Emergency Services team work with DBCA in regards to works in the North Ravensthorpe Ranges and that an invite be sent to the relevant Minister to attend the Shire (refer Attachment 3 – OWG Meeting Minutes at 5.2)**

COMMITTEE DECISION

That the BFAC endorse the OWG recommendation to go to council to endorse per item 5.2 of the OWG minutes dated 19 February 2024. That is, that the Shire Emergency Services team work with DBCA to confirm the Shires concerns about the lack of any works being carried out by DBCA and to request that they prioritise the works they are doing be moved closer to town. The OWG also recommends that an invite be sent to the relevant Minister to attend the Shire.

**Moved: Keith Rowe
Carried**

Seconded: Andy Daw

4. ADOPT the Bush Fire Advisory Committee recommendations to update the Shire of Ravensthorpe 2024/2025 Fire Control and Fire Break Notice (refer Attachment 4) as follows:-

Revised Fire Control Notice requirements as a result of inspections carried out this year by external consultants, and recommendations made, FCO involvement in inspections and in response to community feedback on the 23-24 changes in relation to rural properties, less than 200 hectares.

- a) Unrestricted burning time for rural areas only – new dates 31 March – 1 September;
- b) Burning is prohibited for the entire Easter period 18 April 2025 – 21 April 2025;
- c) Asset protection zone requirements for residential have been addressed
- d) Rural properties under 200ha and within 4kms of the Ravensthorpe Post Office – the 20mt break introduced in 2023 has been removed and the 3mt break reinstated.;
- e) Rural Residential properties in nominated sub-divisions now have additional guidance that outlines specific requirements or variations to the requirements due to the differences in vegetation and soil type and allowable uses of the land under the Shire Planning Scheme #6 or other regulatory requirements

COMMITTEE DECISION

Motion that BFAC recommend that Council endorse these changes for inclusion and amendment to the 2024 – 2025 Fire Control and Fire Break Notice

Moved: Andy Daw

**Seconded: Rod Daw
Carried**

5. ADVERTISE the Bush Fire Control and Fire Break Notice, elected Fire Control Officers and Fire Weather Officer 2024/2025 for the Shire of Ravensthorpe in accordance with s38 (2A) of the *Bush Fires Act 1954*.

6. **GIVE NOTICE** to all owners and occupiers of land in its district by publishing a Notice in the *Government Gazette* in accordance with subsections 33(1) and (2) of the *Bush Fires Act 1954*.
7. **ENDORSE** the Bush Fire Advisory Committee recommendations to adopt the Shire of Ravensthorpe Standard Administration and Operating Procedures (Bushfire Operating Procedures) document (refer Attachment 5).

Motion that BFAC adopt the Standard Administration and Operating Procedures (Bushfire Operating Procedures) document and recommend Council endorsement of the document.

Moved: Rod Daw

Seconded: Rian Duncan
Carried

8. **ENDORSE** the BFAC motion of its position to reinforce to the Council and the community the support of the BFAC and the Shire's Volunteer Bushfire Brigades with respect to the importance of bushfire risk mitigation works undertaken in this Shire to protect life and property and to ensure the sustainability of the environment.

COMMITTEE DECISION

That the Council endorse the BFAC motion of its position to reinforce to the Council and the community the support of the BFAC and the Shire's Volunteer Bushfire Brigades with respect to the importance of bushfire risk mitigation works undertaken in this Shire to protect life and property and to ensure the sustainability of the environment.

Moved: Rod Daw

Seconded: Devon Burton
Carried

9. **ENDORSE** the BFAC recommendation to enable the Shire's Bushfire Risk Mitigation Coordinator to assist in the training of brigade members in the proper use of flame throwers and to assist in gaining Department of Transport dispensation to anyone who undertakes the required training.

COMMITTEE DECISION

That the Council endorse the BFAC motion of its position to reinforce to the Council and the community the support of the BFAC and the Shire's Volunteer Bushfire Brigades with respect to the importance of bushfire risk mitigation works undertaken in this Shire to protect life and property and to ensure the sustainability of the environment.

Moved: Rod Daw

Seconded: Devon Burton
Carried

10. **ENDORSE the BFAC recommendation for the OWG to consider options and recommend back to BFAC an approach to having farm firefighting units identified and markings/decals provided for trucks.**

COMMITTEE DECISION

That the Council endorse the BFAC recommendation for the OWG to consider options and recommend back to BFAC an approach to having farm firefighting units identified and markings/decals provided for trucks.

Moved: Rod Daw

**Seconded: Mark Mudie
Carried**

Moved: _____

Seconded: _____

Carried: / _____

12. REPORTS OF OFFICERS

12.1 EXECUTIVE SERVICES

12.1.1 LOCAL GOVERNMENT EXTRAORDINARY ELECTION 2024 AND THE APPOINTMENT OF THE WESTERN AUSTRALIAN ELECTORAL COMMISSION

File Reference:	GV.EL.3
Location:	N/A
Applicant:	N/A
Author:	Chief Executive Officer
Authorising Officer	Chief Executive Officer
Date:	8 April 2024
Disclosure of Interest:	N/A
Attachments:	12.1.1 Correspondence from the Western Australian Electoral Commission
Previous Reference:	Nil

PURPOSE

1. To seek Council endorsement for the appointment of the Western Australian Electoral Commissioner to undertake an extraordinary election to replace a resigning Councillor.

BACKGROUND

2. In accordance with 2.32 of the Local Government Act 1995 there are various cases in which an extraordinary election occurs when an elected member:
 - a) dies; or
 - b) resigns from the office; or
 - c) does not make the declaration required by section 2.29(1) within 2 months after being declared elected to the office; or
 - d) advises or accepts under section 2.27 that he or she is disqualified, or is declared to be disqualified by the State Administrative Tribunal acting on an application under section 2.27; or
 - e) is disqualified by an order under section 5.113, 5.117 or 5.119 from holding office as a member of a council; or
 - f) is dismissed under section 8.15L or 8.25(2); or
 - g) becomes the holder of any office or position in the employment of the local government; or
 - h) while holding an office of councillor, is elected to the office of elector mayor or president on the council.
3. When an extraordinary vacancy occurs, an extraordinary election must be conducted; the election day must be decided on and fixed within one month of the vacancy.
4. If the Council wishes to conduct the election as a postal ballot, and use the services of the WA Electoral Commission it will need to formally resolve to do so in accordance with Sections 4.20(4) and 4.61(2) of the *Local Government Act 1995*.

COMMENT

5. On 2 April 2024 the Shire President was notified that Cr Rachel Livingston wished to resign from her role as Councillor effective from that date.
6. The Western Australian Electoral Commission (WAEC) was notified of the vacancy.
7. The WAEC has provided the attached written agreement to conduct the extraordinary election as a postal election in accordance with section 4.20(4) of the Local Government Act 1995.
8. The WAEC has previously been responsible for conducting ordinary and extraordinary elections for the Shire in the past and it is recommended that Council declare the responsibility of the pending extraordinary election to the WAEC.
9. The process for Council to follow in terms of appointing the WAEC to be responsible for the conduct of the extraordinary election and for the election to be a postal election is as follows:
 - a. Declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the extraordinary election, and
 - b. Decide, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the extraordinary election will be as a postal election.
10. The use of the WAEC to provide a postal ballot is the most commonly used option for local governments, and is the method used by the Shire for numerous years.
11. The WAEC has recommended Friday 12th July as the most suitable date for the extraordinary election.

CONSULTATION

12. The WAEC
13. Executive Team.

STATUTORY ENVIRONMENT

14. Local Government Act 1995
 - section 2.32 – How extraordinary vacancies occur in offices elected by electors
 - section 4.8 – Extraordinary Elections
 - section 4.9 – Election Day for extraordinary elections
 - section 4.20 – CEO to be the returning officer unless other arrangements made
 - section 4.61 – Choice of methods of conducting election

POLICY IMPLICATIONS

15. Nil.

FINANCIAL IMPLICATIONS

16. If approved, the notional budget allocation for conducting this extraordinary election as indicated by the WA Electoral Commission is \$17,727 (GST excluded).

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational); elections must be compliant and should be viewed as independent, transparent and impartial	Possible	Moderate	Medium	Engage the WAEC to conduct the extraordinary election by postal vote.

ALTERNATE OPTIONS

18. Nil.

STRATEGIC ALIGNMENT

19. 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
5.1	The Shire's community is engaged and involved
5.2	The Council ensures its decisions are well informed and considered
5.3	The Council, with the support of the community, is an effective advocate for resources and facilities which support the vision for the future
5.4	The Shire of Ravensthorpe is known as a good employer, and staff have the capacity and skills to deliver identified services and strategies
5.6	Financial systems are effectively managed
5.7	Customer service and other corporate systems are of high quality

VOTING REQUIREMENT

20. Absolute Majority

OFFICER RECOMMENDATION

That Council by an Absolute Majority decision:

- DECLARES** that, in accordance with Section 4.20(4) of the *Local Government Act (1995)* the Electoral Commissioner to be responsible for the conduct of the extraordinary election; and
- DECIDES**, in accordance with Section 4.61(2) of the *Local Government Act 1995* that the method of conducting the extraordinary election will be as a postal election; and
- ENDORSE** the allocation of funds up to \$17,727 (GST excluded) in the 2023/24 annual budget to undertake the Shire of Ravensthorpe's 2024 extraordinary election.

Moved: _____

Seconded: _____

Carried: /

12.1 EXECUTIVE SERVICES

12.1.2 PROGRESS REPORT – BUDGETED 2023/24 PROJECTS UPDATE

File Reference:	GR.RE.4
Location:	NA
Applicant:	NA
Author:	Chief Executive Officer
Authorising Officer	Chief Executive Officer
Date:	8 April 2024
Disclosure of Interest:	Nil
Attachments:	CONFIDENTIAL Report 23/24 Budgeted Projects
Previous Reference:	NA

PURPOSE

1. That Council receives the year to date Budgeted Projects update.

BACKGROUND

2. This report provides the status on projects that were endorsed as part of the 2023/24 budget adoption.

COMMENT

3. The CEO is required to present to Council an update on the Shire's Corporate Business Plan to keep them informed of the organisation's progress through the year.
4. The Corporate Business Plan update was received by Council at the March Ordinary Council meeting as per Resolution number 18/24.
5. This report provides an update on budgeted projects for the period up to 31 March 2024.
6. Table 1 provides a report of the 2023/24 Budgeted Projects as at 31 March 2024. A total of 73 budgeted projects have been reported on for the 2023/24 period with 30 projects completed, 25 on track and 15 to monitor and 3 to intervene. The projects requiring intervention were subject to third party funding grants which have not been successful.

Table 1 – Budgeted 2023/24 Projects

Projects	Completed	On Track	Monitor	Intervene
73	30	25	15	3

CONSULTATION

7. Executive Managers and Shire officers

STATUTORY ENVIRONMENT

8. *Local Government Act 1995 Part 5 Division 5, s 5.56*
Local Government (Administration) Regulations 1996 Part 5, Division 3, r19DA

POLICY IMPLICATIONS

9. Nil

FINANCIAL IMPLICATIONS

10. Nil

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance; (operational); CEO does not provide regular updates to Council on performance of strategic objectives.	Possible	Major	High	A CEO KPI is to report on a regular basis to Council on organisational performance each year.
Financial; the failure to regularly report to Council on achievement of strategic objectives and project delivery inhibits Council's ability to make informed budget decisions	Possible	Major	High	A CEO KPI is to report on a regular basis to Council on organisational performance each year.
Reputational; the failure to provide accurate and timely reporting to Council may cause reputational damage to both Shire organisation and Council.	Possible	Major	High	Regular reporting will ensure the Executive Management team effectively manages delivery of strategic objectives and projects and that Council is provided strong oversight of overall shire performance.

ALTERNATE OPTIONS

11. Council may decide not to receive the report as presented and request the CEO to either provide more information and/or represent the report once new information is supplied.

STRATEGIC ALIGNMENT

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

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

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

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

Item	Objectives and Strategies
2.1	Social services and facilities are designed and delivered in a way that fits community needs and aspirations
2.2	Community groups function well with strong volunteer effort and feel supported by the community

Item	Objectives and Strategies
2.3	People feel that their community is safe for all, free of nuisance and protected from risk of damage
2.4	People have access to attractive community facilities, activities and events which support activity and health, community involvement and enjoyment of life
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
5.1	The Shire's community is engaged and involved
5.2	The Council ensures its decisions are well informed and considered
5.3	The Council, with the support of the community, is an effective advocate for resources and facilities which support the vision for the future
5.4	The Shire of Ravensthorpe is known as a good employer, and staff have the capacity and skills to deliver identified services and strategies
5.5	The value of community owned assets is maintained
5.6	Financial systems are effectively managed
5.7	Customer service and other corporate systems are of high quality

VOTING REQUIREMENTS

13. Simple Majority

OFFICER RECOMMENDATION

That Council RECEIVE the following progress reports for the 2023/24 Budgeted Projects as at 31 March 2024.

Moved: _____

Seconded: _____

Carried: /

12.2 **CORPORATE SERVICES**

12.2.1 **MONTHLY FINANCIAL REPORT – 31 MARCH 2024**

File Reference:	N/A
Location:	Shire of Ravensthorpe
Applicant:	Nil
Author:	Accounting Manager
Authorising Officer	Executive Manager Corporate Services
Date:	09 April 2024
Disclosure of Interest:	Nil
Attachment:	12.2.1 Monthly Financial Reports for 31 March 2024
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 March 2024 Monthly Financial Reports.

COMMENT

3. The March 2024 Monthly Financial Reports are presented for review.

CONSULTATION

4. Executive Team

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

6. Nil.

FINANCIAL IMPLICATIONS

7. All expenditure has been approved via adoption of the 2023/24 Annual Budget, or resulting from a Council Motion for a budget amendment.

RISK MANAGEMENT:

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational – That Council does not receive the financial activity statements as required by S6.4 of the LG Act 1995.	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 March 2024 Monthly Financial Reports as presented.

Moved: _____

Seconded: _____

Carried: __/

12.2 CORPORATE SERVICES

12.2.2 SCHEDULE OF ACCOUNT PAYMENTS – MARCH 2024

File Reference:	GR.ME.8
Location:	Shire of Ravensthorpe
Applicant:	Shire of Ravensthorpe
Author:	Finance Officer
Authorising Officer	Executive Manager of Corporate Services
Date:	9 April 2024
Disclosure of Interest:	Nil
Attachments:	12.2.2 Schedule of Payments 31 March 2024 Credit Card Transactions to 01 March 2024 Creditors List of Accounts Paid March 2024
Previous Reference:	Nil

PURPOSE

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

BACKGROUND

2. Period 01/03/2024 – 31/03/2024

2023/2024

Month	Cheques	EFT Pymts	Direct Debits	Credit Card	Trust	Total Creditors	Payroll
Jul	5,390	977,241	142,831	4,180	0	1,129,643	336,369
Aug	13,517	818,548	143,285	8,366	0	983,716	327,430
Sep	5,452	523,031	59,617	4,859	0	592,960	328,547
Oct	57,624	618,676	86,149	7,850	0	770,300	347,668
Nov	44,379	1,224,065	38,625	6,417	0	1,313,486	481,171
Dec	9,173	2,956,514	55,025	17,203	0	3,037,914	427,999
Jan	6,543	998,422	39,093	8,505	0	1,052,563	425,009
Feb	11,079	701,744	160,274	9,124	0	882,222	467,711
Mar	5,250	505,555	71,348	4,214	0	586,367	382,018
Apr	0	0	0	0	0	0	0
May	0	0	0	0	0	0	0
Jun	0	0	0	0	0	0	0
Total	158,407	9,323,797	796,247	70,718	0	10,349,169	3,523,922
22/23	114,562	12,445,050	943,431	81,842	0	13,584,885	4,162,759
21/22	109,610	11,455,728	1,217,128	101,107	0	12,883,572	4,057,812
20/21	219,357	8,442,181	965,406	135,103	0	9,762,047	3,790,863

COMMENT

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

CONSULTATION

- Accountant and Executive Manager Corporate Services

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

- Nil.

FINANCIAL IMPLICATIONS

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

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational – That Council does not receive the schedule of account payments.	Rare	Insignificant	Very Low	That Council receives the schedule of account payments.

ALTERNATE OPTIONS

- Nil.

STRATEGIC ALIGNMENT

- 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
1.2	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 March 2024 be NOTED.

Moved: _____

Seconded: _____

Carried: _/

12.3 **PROJECTS AND REGULATORY SERVICES**

12.3.1 **SHIRE OF RAVENSTHORPE DOGS AMENDMENT LOCAL LAW 2022**

File Reference:	LE.LL.13
Location:	Shire of Ravensthorpe
Applicant:	Executive Manager Projects and Regulatory Services
Author:	Executive Manager Projects and Regulatory Services
Authorising Officer	Chief Executive Officer
Date:	08 April 2024
Disclosure of Interest:	Nil
Attachments:	12.3.1 Proposed Dogs Amendment Local Law
Previous Reference:	Item 10.3 March 2022 Ordinary Council Meeting

PURPOSE

1. To commence the process to amend the Shire of Ravensthorpe Dogs Local Law 2010 and to provide notice of the purpose and effect of the proposed local law.

BACKGROUND

2. Following a review of the Shire's Local Laws, Council passed the following resolution at the ordinary meeting of Council held on Tuesday 15 February 2022:

That Council:

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

COMMENT

3. Council has agreed to remove the prescribed areas in which dogs are prohibited and dog exercise areas from the Dogs Local Law. Amendments to the Dog Act in 2013 provided local governments with the power to determine these areas by an absolute majority decision of Council. This provides for administrative efficiency when reviewing/amending the prohibited areas and exercise areas for Dogs.
4. Council has also agreed to review the modified penalties and the changes recommended are as a result of a review of penalties by Council staff responsible for Dog management.
5. The two changes recommended are to increase the modified penalty for:
Failing to provide means for effectively confining a dog, from \$50 to \$100, and
Dog excreting in prohibited place, from \$40 to \$100.
6. All other modified penalties in the Dogs Amendment Local Law 2022 are the same as the current modified penalties.
7. The process of adopting or amending a local law is set out in section 3.12 of the *Act* and is summarised in Attachment 1 – Local Law Statutory Procedures.

Section 3.12 (2) specifically states:

8. "At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner."
9. The following fulfils the requirement defined in the *Local Government (Functions and General) Regulations 1996* – Reg 3.
10. The intended Purpose and Effect of the Shire of Ravensthorpe Dogs Amendment Local Law 2022 are:

Purpose: The purpose is to remove the prescribed areas in which dogs are prohibited and dog exercise areas from the Dogs Local Law and to amend the modified penalties.

Effect: The effect of the amendment local law is to allow Council to determine the prescribed areas in which dogs are prohibited and dog exercise areas by an absolute majority decision of Council and to amend the modified penalties to reflect current industry standards.

CONSULTATION

11. Proposed Local Law to be advertised for public comment in accordance with the legislative requirements.

STATUTORY ENVIRONMENT

12. *Local Government Act 1995*

Section 3.12 – Procedures for making local laws

3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
 - (a) give local public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarised in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and

- (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
- (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

[(3a) deleted]

- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.

** Absolute majority required.*

- (5) After making the local law, the local government is to publish it in the *Gazette* and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.

- (6) After the local law has been published in the *Gazette* the local government is to give local public notice —

- (a) stating the title of the local law; and
- (b) summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
- (c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.

- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.

- (8) In this section —

making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

POLICY IMPLICATIONS

- 13. A new Dog Management Policy will be required.

FINANCIAL IMPLICATIONS

- 14. All new Local Laws adopted are required to be published in the *Government Gazette* at the Shires cost, estimated at approximately \$2500.00

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational)	Unlikely	Minor	Low	Statutory requirement process followed
Financial	Unlikely	Minor	Low	Dog Local Law 2010 still in effect until amendments approved.
Environmental	Unlikely	Insignificant	Very Low	Current Dog Local Law remains in effect
Reputational	Unlikely	Minor	Low	Due process followed

ALTERNATE OPTIONS

16. Nil.

STRATEGIC ALIGNMENT

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

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

Item	Objectives and Strategies
2.3	People feel that their community is safe for all, free of nuisance and protected from risk of damage

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

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

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

Item	Objectives and Strategies
5.1	The Shire's community is engaged and involved
5.2	The Council ensures its decisions are well informed and considered

VOTING REQUIREMENTS

18. Absolute Majority

OFFICER RECOMMENDATION

That Council:

1. **In accordance with sections 3.12(3)(a) and (3)(b) of the Local Government Act 1995, provide local public notice stating that:**
 - (a) **It is proposed to make a Dogs Amendment Local Law 2022, and a summary of its purpose and effect;**
 - (b) **Copies of the proposed local law may be inspected at the Shire offices and website; and**
 - (c) **Submissions about the proposed local law may be given to the Shire within a period not less than 6 weeks after the notice is given.**
2. **In accordance with section 3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government, Sport and Cultural Industries.**
3. **In accordance with section 3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it.**
4. **Considers any submissions received through the public consultation process.**

Moved: _____

Seconded: _____

Carried: / _____

12.3 PROJECTS AND REGULATORY SERVICES

12.3.2 APPLICATION TO KEEP MORE THAN PRESCRIBED NUMBER OF DOGS- 70 MAITLAND STREET, HOPETOUN

File Reference:	LE.LL.11 & A1448
Location:	Shire of Ravensthorpe
Applicant:	Sarah Tofts
Author:	Senior Ranger
Authorising Officer	Chief Executive Officer
Date:	6 April 2024
Disclosure of Interest:	Nil
Attachments:	12.3.2
Previous Reference:	N/A

PURPOSE

1. An application to keep more than the prescribed number of dogs has been received from Sarah Tofts of 70 Maitland Street, Hopetoun. Ms Tofts and "housemate" has in their control three (3) dogs, a four (4) year old Golden Retriever, a one (1) year old Golden Retriever and a nine (9) year old Terrier cross. The property has 1.8m fencing and the Shire has no previous reports of breaches of the Dog Act by the applicant.

BACKGROUND

2. The applicant approached the Shire directly to apply for three dogs at the property, they had previous approval from City of Kalgoorlie- Boulder.
3. The Shire of Ravensthorpe Dog Local Law 2010, section 3.2 provides that only two (2) dogs over the age of 3 months can be kept at a premise situated within a Townsite.
4. The *Dog Act 1976*, Section 26(3), allows the Shire to grant an exemption to a placed limit on the keeping of dogs in a specified area if the local government is satisfied the provisions in the Act are met.

COMMENT

5. At the close of the request for comment period there was one submission received- no objection.

CONSULTATION

6. Request for Comment was sent to three parties, made up of one (1) property owner and two (2) occupiers, on 6 March 2024. It was requested submissions were returned to the Shire by 3 April 2024. It was noted on these submissions if no comment was received the Shire would consider no objection to the application.

STATUTORY ENVIRONMENT

7. *Dog Act 1976*

8. *Dog Local Law 2010 (Shire of Ravensthorpe)*

POLICY IMPLICATIONS

9. Nil

FINANCIAL IMPLICATIONS

10. Nil

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational)	Rare	Insignificant	Very Low	Consistency with decision making.
Environmental	Rare	Minor	Low	Consistency with decision making will reduce impact
Reputational	Rare	Insignificant	Very Low	Consistency with decision making.

ALTERNATE OPTIONS

12. The Council does not approve the application.

STRATEGIC ALIGNMENT

13. Nil.

VOTING REQUIREMENTS

14. Simple Majority

OFFICER RECOMMENDATION

That Council:

GRANT the exemption for the keeping of three dogs at 70 Maitland Street, Hopetoun subject to the following conditions:

- 1. The exemption be reviewed in twelve (12) months to ensure no adverse issues have been experienced as a result of the exemption.**
- 2. Council reserve the right to withdraw the exemption at any time if requirements under the *Dog Act 1976* are not met.**
- 3. The exemption only applies to those dogs which are submitted on the application form currently being reviewed.**
- 4. Upon the death or permanent removal of any of the nominated dogs, a maximum of two (2) dogs only will be permitted to be kept on the property**

Moved: _____

Seconded: _____

Carried: / _____

12.4 INFRASTRUCTURE SERVICES

Nil.

13. 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

15.1 Shire of Ravensthorpe Dogs Local Law 2022

16. CLOSURE

The Presiding Member to declare the meeting closed.