



Agenda

Ordinary Meeting
of Council

Tuesday, 16 July 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 July 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)

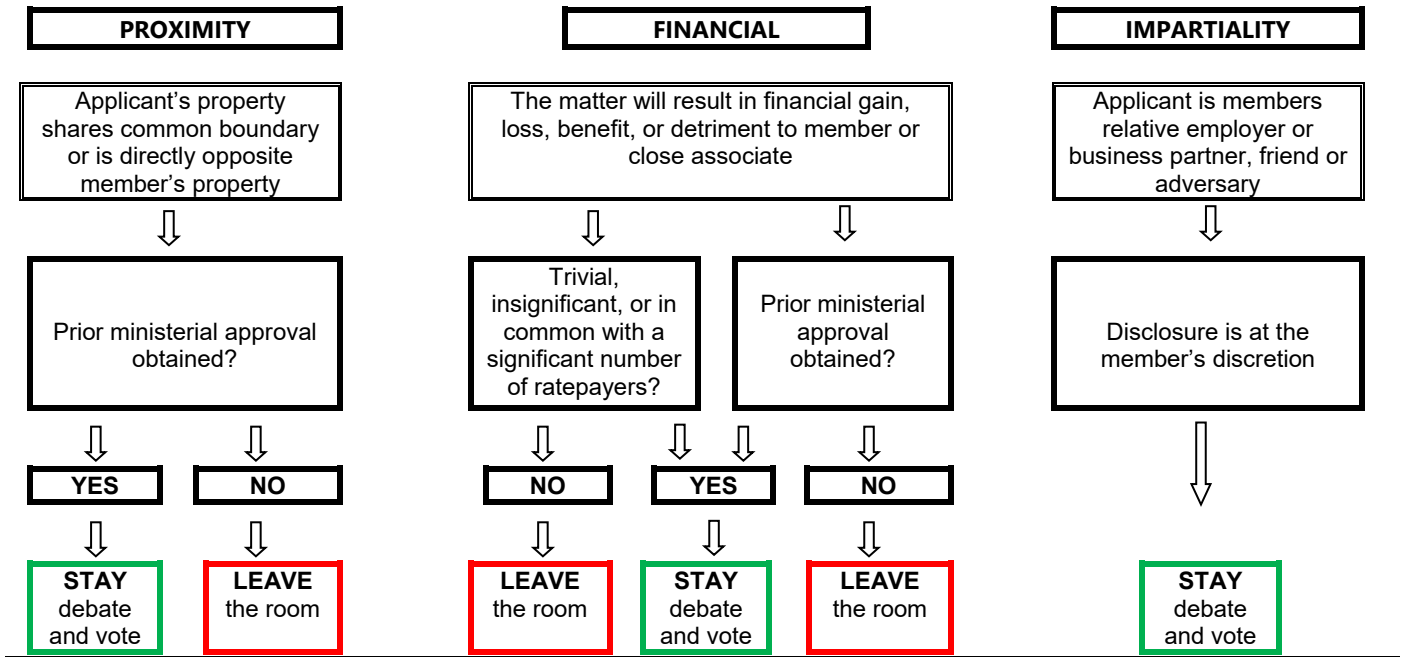
Signed: _____ Date: / /

- **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)
Paul Spencer (Executive Manager Infrastructure Services)
Natalie Bell (Executive Manager Projects and Regulatory Services)
Les Mainwaring (Executive Manager Corporate Services)

VISITORS

Honorary Freeman of the Shire Mr. Keith Rowe (JP)

APOLOGIES

Nil.

LEAVE OF ABSENCE

Nil.

SWEARING IN OF NEWLY ELECTED COUNCILLORS

The Chief Executive Officer to officiate subscription of Declaration of Office for the elected Councillor.

s.2.29 of the *Local Government Act 1995* requires the newly Elected Councillor to make a declaration prior to performing the duties of a Council Member.

"2.29 Declaration

- (1) A person elected as an elector mayor or president or as a councillor has to make a declaration in the prescribed form before acting in the office.*
- (2) A person elected by the council as mayor, president, deputy mayor or deputy president has to make a declaration in the prescribed form before acting in the office.*
- (3) A declaration required by this section is to be taken or made before a prescribed person.*
- (4) A person who acts in an office contrary to this section commits an offence."*

Honorary Freeman of the Shire Mr. Keith Rowe JP to perform swearing in.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

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 18 JUNE 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 18 June 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 LOCAL EMERGENCY MANAGEMENT COMMITTEE – MEETING MINUTES JUNE 2024

File Reference:	Nil
Location:	Shire Wide
Applicant:	Local Emergency Management Committee
Author:	Executive Manager Projects and Regulatory Services
Authorising Officer	Chief Executive Officer
Date:	05 July 2024
Disclosure of Interest:	Nil
Attachments:	11.1 LEMC Unconfirmed Minutes June 2024 11.1 Letter to MRWA
Previous Reference:	Nil

PURPOSE

1. The Council is requested to receive the June 2024 meeting minutes.

BACKGROUND

2. The Shire of Ravensthorpe has established a Local Emergency Management Committee (LEMC) under section 38(1) of the *Emergency Management Act 2005*.

COMMENT

3. The minutes referred are to be received. The LEMC recommended a letter be sent from the Shire to MRWA with respect to the by-pass and dangerous road use by trucks (refer Attachment).

CONSULTATION

4. LEMC Committee members.

STATUTORY ENVIRONMENT

5. *Emergency Management Act 2005*.

POLICY IMPLICATIONS

6. Nil.

FINANCIAL IMPLICATIONS

7. Nil.

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational)	Rare	Insignificant	Very Low	LEMC meetings are held quarterly. The LEMC is reviewed by the DEMC and SEMC and amended as required
Reputational	Rare	Insignificant	Very Low	The committee consists of all Shire and Regional Stakeholders relevant to the provision of emergency services

ALTERNATE OPTIONS

9. Nil.

STRATEGIC ALIGNMENT

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

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

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

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

Item	Objectives and Strategies
2.1	Social services and facilities are designed and delivered in a way that fits community needs and aspirations
2.2	Community groups function well with strong volunteer effort and feel supported by the community
2.3	People feel that their community is safe for all, free of nuisance and protected from risk of damage

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

Item	Objectives and Strategies
3.4	It is easy and safe to move around and in and out of the district

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

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

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

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

VOTING REQUIREMENTS

11. Simple Majority.

COMMITTEE RECOMMENDATION

That Council RECEIVE the June 2024 Unconfirmed LEMC Minutes.

Moved: _____

Seconded: _____

Carried: __/__

12. REPORTS OF OFFICERS

12.2 CORPORATE SERVICES

12.2.1 MONTHLY FINANCIAL REPORT – 30 JUNE 2024

File Reference:	N/A
Location:	Shire of Ravensthorpe
Applicant:	Nil
Author:	Accounting Manager
Authorising Officer	Executive Manager Corporate Services
Date:	09 July 2024
Disclosure of Interest:	Nil
Attachment:	12.2.1 Monthly Financial Reports for 30 June 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 June 2024 Monthly Financial Reports.

COMMENT

3. The June 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 June 2024 Monthly Financial Reports as presented.

Moved: _____

Seconded: _____

Carried: __/__

12.2 CORPORATE SERVICES

12.2.2 SCHEDULE OF ACCOUNT PAYMENTS – JUNE 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:	08 July 2024
Disclosure of Interest:	Nil
Attachments:	12.2.2 Creditors List of Accounts Paid June 2024 12.2.2 Credit Card Transactions to 01 June 2024 12.2.2 Fuel Card Transactions to 01 June 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 01/06/2024 – 30/06/2024.

COMMENT

3. 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

4. Accountant and Executive Manager Corporate Services.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

6. Nil.

FINANCIAL IMPLICATIONS

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

RISK MANAGEMENT

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

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

ALTERNATE OPTIONS

9. Nil.

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
1.2	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 June 2024 be NOTED.

Moved: _____

Seconded: _____

Carried: __/__

12.3 PROJECTS AND REGULATORY SERVICES

12.3.1 DRAFT COASTAL HAZARD RISK MANAGEMENT AND ADAPTATION PLAN (CHRMAP)

File Reference:	Nil
Location:	Hopetoun
Applicant:	NA
Author:	Executive Manager Projects and Regulatory Services
Authorising Officer	Chief Executive Officer
Date:	05 July 2024
Disclosure of Interest:	Nil
Attachments:	Draft CHRMAP
Previous Reference:	NA

PURPOSE

1. For Council to approve the Draft Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) to go out for public comment, with submissions to close on 05 August 2024.

BACKGROUND

2. The Shire's coastline is highly valued for its natural environment, landscape and sandy beaches. Within the Shire, Hopetoun beaches are amongst the most visited. The Hopetoun region has been identified as an 'erosion hotspot' (where coastal erosion is expected to impact on public and private physical assets within 25 years). Therefore, the Shire has developed a CHRMAP to understand 'coastal hazards' and 'risks' that may impact the coastline in the future and what the options are for managing those

The overall CHRMAP purpose is as follows:

- To identify vulnerable assets (public and private) and the risk posed to them by coastal hazards.
- To preserve community values for present and future generations.
To develop a plan that will allow the Shire to respond to identified risks through adaptation planning activities.
- To recommend monitoring plans to ensure the risk management and adaptation plan activities are working into the future as expected.

The CHRMAP was completed in 8 Stages, with community and stakeholder engagement undertaken along the way.

The Shire engaged the services of Water Technology to manage the process and produce the Shire's CHRMAP with funding provided by the Department of Planning, Lands and Heritage, with input from the Department of Transport.

COMMENT

3. The CHRMAP is a requirement under *State Planning Policy 2.6 – Coastal Planning*.

CONSULTATION

4. Councillors and/or Executive Team
Public Consultation
Shire of Ravensthorpe CHRMAP Steering Committee
Department of Planning Lands and Heritage
Department of Transport

STATUTORY ENVIRONMENT

5. State Planning Policy 2.6 – Coastal Planning.

POLICY IMPLICATIONS

6. Not applicable.

FINANCIAL IMPLICATIONS

7. The report makes recommendations however this will be subject to public comment and final Council endorsement.

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Financial	Rare	Insignificant	Very Low	Public consultation will be via the Shire website, Facebook, printed copies and an advert in the Community Spirit
Reputational	Rare	Insignificant	Very Low	The CHRMAP is a proactive step in reducing future coastal risk and assists with managing those risks.

ALTERNATE OPTIONS

9. Nil.

STRATEGIC ALIGNMENT

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

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

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

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

Item	Objectives and Strategies
2.1	Social services and facilities are designed and delivered in a way that fits community needs and aspirations
2.3	People feel that their community is safe for all, free of nuisance and protected from risk of damage
2.4	People have access to attractive community facilities, activities and events which support activity and health, community involvement and enjoyment of life

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

Item	Objectives and Strategies
3.2	New development (including commercial) is of a high quality and contributes positively to the character and appearance of the town
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.

OFFICER RECOMMENDATION

That Council APPROVE the Draft Coastal Hazard Risk Management and Adaptation Plan to go out for public comment.

Moved: _____

Seconded: _____

Carried: __/__

13. MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

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

15. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS

16. CLOSURE

The Presiding Member to declare the meeting closed.