



Agenda

Ordinary Meeting of Council
Tuesday, 17 December 2024
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,

17 December 2024

Commencing at 6.00pm

Located in the 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 meetings 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: _____

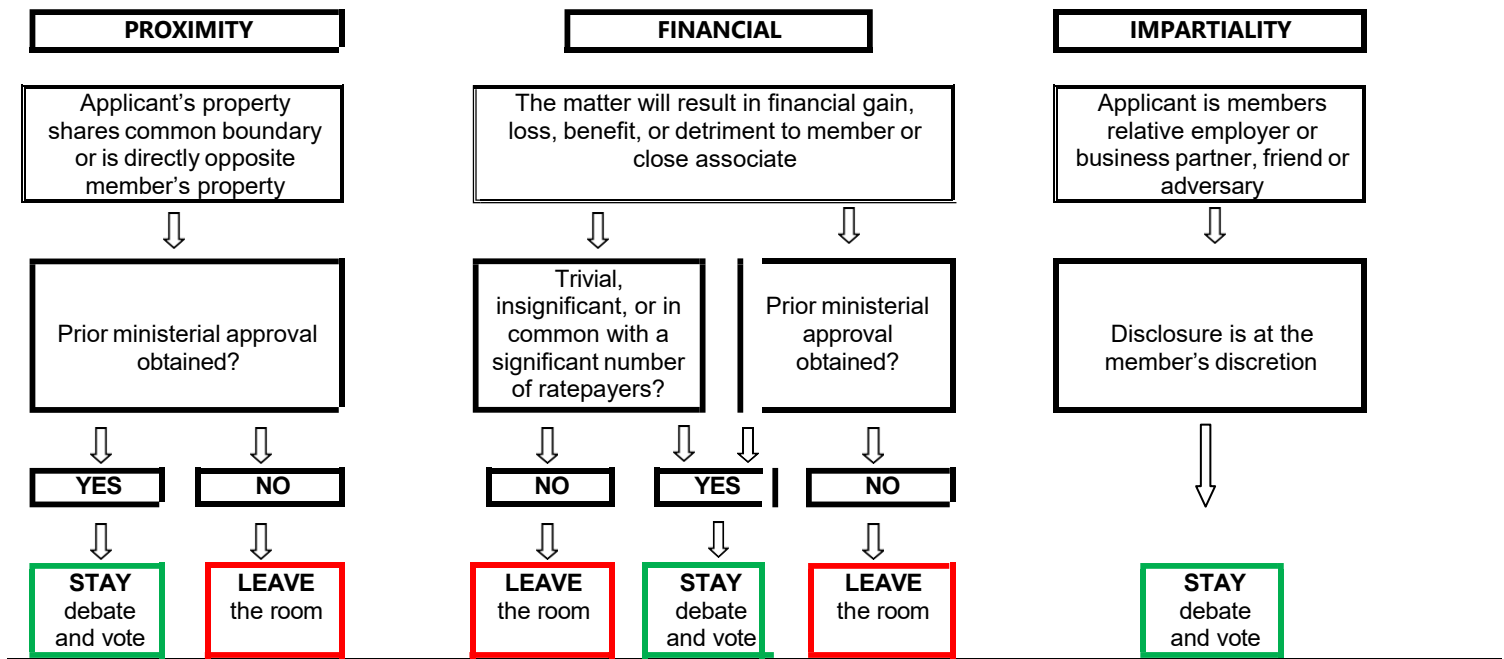
Date: _____

OFFICE USE ONLY

Particulars recorded in Minutes

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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3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

The following questions were asked by Jamie Lovenbury at the Ordinary Council Meeting held on November 19 2024.

Q1. How does the Shire deal with unauthorized buildings?

Unauthorized buildings can be deemed non-compliant for a variety of reasons. Where a building is found to be 'unauthorized' or non-compliant then depending on the non-compliance, offences may be dealt with under the State Planning Framework, the Caravan and Camp Grounds Act 1995 or the Building Act 2011. The Planning and Development Act 2005, Part 3 provides the highest level of planning policy control. It guides the State Planning Policy 1 State Planning Framework Policy (SPP 1) which brings together existing State and regional policies, strategies, plans and guidelines within a central State Planning Framework. It sets the context for decision-making on land use and development in Western Australia. From a 'building' specific perspective, the Building Act 2011, allows action to be taken generally, as set out below;

- Enforcement action will be undertaken under the Act in relation to buildings which are dangerous or unfit for human occupation.
- Prosecutions may be commenced in relation to unauthorised building works which have occurred within the previous 6 years.
- If there is no particular risk or other wider concern in relation to the property, the Shire may exercise its discretion to refrain from taking any formal enforcement action in relation to building works which were carried out more than 6 years ago and which do not give rise to a building which is unfit for human occupation or dangerous.

In circumstances where building work was carried out more than 6 years ago, it might open to the Shire to serve a building order on the owner of the subject property, to require (for example) the unauthorised building to be demolished and removed or, alternatively, an application for a building approval certificate to be submitted.

There are 2 main types of building orders which be issued by a local government:

1. An order which is given on the basis that the relevant building is considered to be dangerous or unfit for human occupation.

An order of this kind can be given to an owner of a building at any time, irrespective of:

- (a) whether the building was approved;
- (b) whether the building previously complied with relevant standards;
- (c) whether the building was built before or after 2012; or
- (d) whether the owner is in fact responsible for the building being in that condition.

2. An order which is given on the basis that a building or structure is in contravention of the Act.

Q2. How does the shire deal with the people who undertake unauthorized building?

The current position of the Shire is to educate people in how to properly build on their properties and to assist, as far as we are able, to ensure developments go through the proper processes. We are able to assist in all steps of the building process and are here to offer advice. Where buildings are developed but do not comply with the Building Code of Australia, Planning Schemes or Acts the current position is to request retrospective approvals or provide notice to the owner to rectify where planning or health issues are identified.

Our planning and building team have recently produced a “Building in the Shire of Ravensthorpe” Frequently Asked Questions Information flyer to assist property owners in understanding their obligations prior to commencing building in the rural – residential zones. A letter was also sent to rural-residential property owners in August to inform them of what is permitted within this zoning type and asking owners to seek approval or remove any offending structures that are non-compliant.

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).

5. DECLARATIONS OF INTEREST

Chief Executive Officer declared an interest in Item 12.1.1 – CEO KPI’s for the 2024/25 Period

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 ORDINARY COUNCIL MEETING MINUTES 19 NOVEMBER 2024

(Attachment: Yellow 7.1)

Statutory Environment:

Section 5.22 of the *Local Government Act 1995* provides that minutes of all meetings are to be kept and submitted to the next ordinary meeting of the Council or Committee, as the case requires, for confirmation.

OFFICER RECOMMENDATION:

That the minutes and associated attachments of the Ordinary Council Meeting held on 19 November 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**

11. MATTERS ARISING FROM COMMITTEES OF COUNCIL

11.1 2023-2024 ANNUAL FINANCIAL REPORT AND 30 JUNE 2024 AUDIT REPORT

File Reference:	FM.AU.1
Location:	Nil
Applicant:	Nil
Author:	Executive Manager Corporate Services
Authorising Officer	Chief Executive Officer
Date:	10 December 2024
Disclosure of Interest:	Nil
Attachments: 11.1	1. Annual Financial Statements 30 June 2024 2. OAG Audit Opinion 30 June 2024 3. Draft 2023/24 Annual Report
Previous Reference:	Nil

PURPOSE

1. In accordance with section 7.12A(3) of the Local Government Act 1995, Council is required to examine the Auditors report for the year ending 30 June 2024 and is to determine if any matters raised by the Auditors require action to be taken.
2. A copy of the Auditors Report and the Annual Financial Report for the year ending 30 June 2024 is presented for adoption.
3. Council is required to set a date for the Annual General Meeting of Electors within 56 days of adopting the annual financial report.

BACKGROUND

4. This is the seventh year where the audit process has involved the Office of the Auditor General (OAG), in conjunction with contract auditors Moore Australia, and given that last year we achieved a December audit sign off for the first time in 4 years, we are again looking forward to a December sign off to allow the timely arrangement of the annual electors meeting.
5. We are pleased to announce that we have received a current sign off of 05 December 2024 for the 2023/24 Annual Financial Report.
6. It is also worthwhile noting that the OAG has estimated our contract audit time for the 2023/24 audit is 260 hours. By comparison pre-OAG the same contract audit firm used to quote a larger Level 2 shire at about 100 hours, so for a smaller Level 3 shire such as Ravensthorpe it can be seen that the current amount of audit time has almost trebled and this is reflected in the resource requirements of the Corporate Services area to support this particular compliance requirement.

COMMENT

7. The OAG, in conjunction with contracted auditors, Moore Australia, have completed the annual audit for the year ending 30 June 2024.
8. The OAG has returned the following audit opinion for the year ended 30 June 2024:
9. In my opinion the financial report of the Shire of Ravensthorpe: • is based on proper accounts and records • presents fairly, in all material respects, the results of the operations of the Shire for the year ended 30 June 2024 and its financial position at the end of that period • in accordance with the Local

Government Act 1995 (the Act) and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards.

10. The audit opinion is unqualified and the OAG has not raised any management letter matters where there is potentially a risk to the entity, or a concern that warrants action being taken, should the finding not be addressed by the entity promptly.
11. Having no management matters raised is an unusual situation, compared to recent years, and is reflective of the Corporate Service team's endeavours to improve the financial system of the shire and endeavour to comply with all required compliance obligations.
12. In accordance with the Local Government Act, the general meeting of electors is to be held on a day no later than 56 days after Council has adopted the Annual Financial Report, therefore Council would be required to hold the annual meeting of electors no later than Tuesday 11 February 2025 if the report was adopted at the 17 December 2024 Ordinary Council Meeting.
13. The Audit Committee, which is comprised of full Council, is to meet with the auditor during each financial year with such meetings able to be held via teleconference. The Chief Executive Officer arranged an audit exit interview for the audit committee with OAG and Moore Australia on the 5 December 2024 via teleconference to discuss the 2023/24 audit findings.

CONSULTATION

14. All Councillors and Executive Team

STATUTORY ENVIRONMENT

15. *Local Government Act 1995 – Part 6 Financial Management; and Local Government (Financial Management) Regulations 1996* - Defines the processes and procedures that apply to the recording and reporting of financial matters.
16. *Local Government Act 1995 – Part 7 Audit; and Local Government (Audit) Regulations 1996* - Defines the audit of the financial accounts of local governments, including the conduct of audits.
17. *Local Government Act 1995 - 7.12A. Duties of local government with respect to audits* - A local government is to examine the report of the auditor prepared under section 7.9(1), and any report prepared under section 7.9(3) forwarded to it, and is to determine if any matters raised by the report, or reports, require action to be taken by the local government; and ensure that appropriate action is taken in respect of those matters.

POLICY IMPLICATIONS

18. Nil.

FINANCIAL IMPLICATIONS

19. Nil.

RISK MANAGEMENT

20. Nil.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Override of Internal Controls	Possible	Moderate	Medium	Constantly monitor, review and reflect on adequacy and effectiveness of controls
Financial	Possible	Minor	Medium	Robust controls prevent the level and likelihood of loss

ALTERNATE OPTIONS

21. Nil.

STRATEGIC ALIGNMENT

22. This item is relevant to the Councils approved Strategic Community Plan 2021 and Corporate Business Plan 2021-2025.

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
5.6	Financial systems are effectively managed

VOTING REQUIREMENTS

23. Simple Majority

OFFICER RECOMMENDATION

That the Audit Committee:

RECOMMEND to Council that;

- 1. The 2023/24 Annual Report including Financial Statements and auditors report for the year ended 30 June 2024, be accepted.**
- 2. Council set the 2023/2024 Annual General Meeting of Electors within 56 days of the acceptance of the 2023/24 annual financial report to be Tuesday 4 February 2025.**
- 3. The annual report be provided to the Community, 2 weeks prior to the Annual General Meeting of Electors.**

Carried: __/__

Moved: _____

Seconded: _____

11.2. RAVENSTHORPE LOCAL EMERGENCY MANAGEMENT COMMITTEE

File Reference:

Location:	Shire of Ravensthorpe
Applicant:	Local Emergency Management Committee
Author:	Executive Manager Projects and Regulatory Services
Authorising Officer	Chief Executive Officer
Date:	18 October 2024
Disclosure of Interest:	Nil
Attachments: 11.2	Meeting Minutes (Unconfirmed) – LEMC 1 September 24
Previous Reference:	Nil

PURPOSE

1. For Council to consider the September 2024 Unconfirmed minutes of the Shire of Ravensthorpe Local Emergency Management Committee (LEMC).

BACKGROUND

2. The LEMC is formed under the *Emergency Management Act 2005* which states that a local government must ensure that Local Emergency Management Arrangements are in place. The LEMC's main functions include;
 - a. Advising and assisting the local government in ensuring that Local Emergency Management Arrangements (LEMA) are established
 - b. Liaising with public authorities and other key organisations to develop, review and test the LEMA
3. The LEMC also carries out other activities as directed by the State Emergency Management Committee (SEMC) or prescribed by the *Emergency Management Regulations 2006*.
4. The LEMC is supported by and reports to a District Emergency Management Committee (DEMC), which in turn reports to the SEMC.

COMMENT

5. The minutes of the previous LEMC meeting held in June 2024 were confirmed as true and correct.
6. The items tabled for endorsement by the LEMC included the;
 - a. Draft LEMC Terms of Reference
 - b. Draft Local Emergency Managements Arrangements, (5-year update and review as per the requirements of the SEMC and *Emergency Management Regulations 2006*)
 - c. Draft Local Recovery Sub Plan (update and review)
7. The LEMC recommendation was to allow further time for review and update, with the Terms of Reference and Draft LEMA and Draft Recovery sub-plan to be endorsed in an out of session meeting by 10 September 2024.
8. The Terms of Reference and LEMA (including the Recovery Sub Plan) will be presented to Council for endorsement as a separate item.

CONSULTATION

9. Local Emergency Management Committee.

STATUTORY ENVIRONMENT

10. *Emergency Management Act 2005*

POLICY IMPLICATIONS

11. Nil.

FINANCIAL IMPLICATIONS

12. Nil.

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational)	Possible	Minor	Low	Coordination and cooperation between all emergency management stakeholders
Reputational	Likely	Moderate	Medium	Look at way to advance continual improvement. Promote safety to the community through wide stakeholder inclusion Improved response to incidents

ALTERNATE OPTIONS

14. Nil.

STRATEGIC ALIGNMENT

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

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

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

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

Item	Objectives and Strategies
2.2	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
5.5	The value of community owned assets is maintained

VOTING REQUIREMENTS

16. Simple Majority

COMMITTEE RECOMMENDATION

That Council:

RECEIVE the Unconfirmed Minutes of the Local Emergency Management Committee Meeting held on 1 September 2024.

Moved: _____

Seconded: _____

Carried: ____ / ____

12 REPORTS OF OFFICERS

12.1 EXECUTIVE SERVICES

12.1.1 CHIEF EXECUTIVE OFFICER KPI'S FOR 2024/25 PERIOD

File Reference:	N/A
Location:	Shire Ravensthorpe
Applicant:	Nil
Author:	Chief Executive Officer
Authorising Officer	Chief Executive Officer
Date:	11 December 2024
Disclosure of Interest:	Chief Executive Officer
Attachments: 12.1.1	CONFIDENTIAL Chief Executive Officer KPI'S – 2024/25
Previous Reference:	N/A

PURPOSE

1. That Council considers the proposed Chief Executive Officer KPIs for the 2024/25 period.

BACKGROUND

2. At its November 2024 Ordinary Council Meeting, Council endorsed the recommendations as detailed in the Confidential CEO performance review sub committee Report via resolution #95/24.
3. Council is now asked to review and endorse the draft CEO KPIs for the 2024/25 period as detailed in Confidential Attachment to this report.
4. Once endorsed by Council the CEO KPIs will be made available for public review on the Shire website.

COMMENT

5. The setting of the CEO's KPIs for the 2024/25 period has been conducted in accordance with Council's statutory and contractual (employment) obligations.

CONSULTATION

6. Councillors and Executive Management Team.

STATUTORY ENVIRONMENT

7. Local Government Act 1995, Part 5, Division 4, s 5.38 and Division 2, s5.23 (2)

POLICY IMPLICATIONS

8. Council Policy G24 CEO Recruitment, Performance and Termination.

FINANCIAL IMPLICATIONS

9. Nil.

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Operational; Council does not conduct the CEO performance review and setting KPIs to the required standards.	Unlikely	Major	Moderate	Council review and endorse CEO KPI report recommendations.

ALTERNATE OPTIONS

11. Council may amend CEO KPI recommendations.

STRATEGIC ALIGNMENT

12. 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
5.2	The Council ensures its decisions are well informed and considered
5.7	Customer service and other corporate systems are of high quality

VOTING REQUIREMENT

13. Simple Majority

OFFICER RECOMMENDATION

That Council:

ENDORSE the draft CEO KPI table for 2024/25 period as detailed in Confidential attachment.

Moved: _____

Seconded: _____

Carried: ____/ ____

12.1.2 COUNCIL POLICY MANUAL REVIEW

File Reference:	N/A
Location:	Shire Ravensthorpe
Applicant:	Nil
Author:	Chief Executive Officer
Authorising Officer	Chief Executive Officer
Date:	11 December 2024
Disclosure of Interest:	Nil
Attachments: 12.1.2	Council Policy Manual
Previous Reference:	N/A

PURPOSE

1. That Council approve the annual review of the Council Policy Manual dated December 2024 – Version 13.

BACKGROUND

2. An annual review of all Council policies is undertaken to adhere to the Shire of Ravensthorpe Compliance Calendar, which is the basis of the Compliance Audit Return submitted to the Department of Local Government, Sport and Cultural Industries annually.
3. The purpose of policy documents is to enable the effective and efficient management of Council resources and to assist staff and Council to achieve an equitable decision-making process. Written policies also enable the community to be aware of the reasoning behind administrative (operational) and Council decisions and to be familiar with the philosophy behind individual decisions.
4. Policy statements enable much of the day-to-day business of Council to be handled by the Administration, freeing up the time of the Elected Members in determining major policy and strategic direction.
5. An up-to-date policy manual of any organisation proves to be a valuable tool in improving the decision-making process. Policies contained within the manual are those that project a corporate image and are not controlled by individual directorates. The development of the policies involves input from staff across the organisation and elected members.
6. A policy statement is not binding on Council but provides a guideline for Elected Members and staff in determining individual applications or requests. Generally, policies evolve as issues come before Council and should continue to evolve through a process of review and refinement. For this reason, it is important that a review process is in place.
7. Each policy is developed in order to address specific matters. They relate to objectives of the Shire of Ravensthorpe, and, in some instances, as required by legislation. The principles behind the policies are directly related to the Shire's values as an organisation.
8. It is important to note that the manual should only contain the policy statement of the Council and should not refer to operational, staff or procedural matters.

COMMENT

9. The policy manual was reviewed to ensure inclusion of various new and amended policies that were approved by Council over the past 12 months.

10. The revised Manual is included as Attachment 12.1.2 to this report with minor changes made to formatting, spelling and grammar where required.

CONSULTATION

11. Councillors and Executive Management Team.

STATUTORY ENVIRONMENT

12. The Local Government Act 1995 outlines the roles of Council and the Chief Executive Officer.

POLICY IMPLICATIONS

13. The Policy Manual has been developed over time to enable the effective and efficient management of Council resources and to assist staff and Council achieve an equitable decision-making process. The Policy Manual is a fluid document and should be reviewed annually. If approved by Council the proposed amendments will be updated in the Council Policy Manual.

FINANCIAL IMPLICATIONS

14. Nil.

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational) It is a requirement to review the Council Policy manual on an annual basis as part of the Compliance Annual Return	Unlikely	Moderate	Medium	Council consider the officer recommendation to adopt the amended Council Manual

ALTERNATE OPTIONS

16. Council may decide not to accept the revised manual as presented in whole or part thereof.

STRATEGIC ALIGNMENT

17. 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
5.2	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

18. Absolute Majority

OFFICER RECOMMENDATION

That Council:

ADOPT by Absolute Majority the amended Council Policy Manual as presented in Attachment 12.1.2 to this report.

Moved: _____

Seconded: _____

Carried: ____/ ____

12.2 CORPORATE SERVICES

12.2.1 MONTHLY FINANCIAL REPORT – 31 NOVEMBER 2024

File Reference:	N/A
Location:	Shire of Ravensthorpe
Applicant:	Nil
Author:	Accounting Manager
Authorising Officer	Executive Manager Corporate Services
Date:	10 December 2024
Disclosure of Interest:	Nil
Attachment: 12.2.1	Monthly Financial Reports for 30 November 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 November 2024 Monthly Financial Reports.

COMMENT

3. The November 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 2024/2025 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 November 2024 Monthly Financial Reports as presented.

Moved: _____

Seconded: _____

Carried: _____/ _____

12.2.2 SCHEDULE OF ACCOUNT PAYMENTS – NOVEMBER 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: 11 December 2024
Disclosure of Interest: Nil
Attachments: 12.2.2 Creditors List of Accounts Paid November 2024
Credit Card Transactions to 01 November 2024
Fuel Card Transactions November 2024
Previous Reference: Nil

PURPOSE

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

BACKGROUND

- Period 01/11/2024 – 30/11/2024

2024/2025						
Month	Cheques	EFT Pymts	Direct Debits	Credit Card	Total Creditors	Payroll
Jul	17,790	1,293,044	105,982	12,502	1,429,318	377,723
Aug	11,617	584,755	137,072	4,563	738,007	365,425
Sep	6,118	699,166	50,146	8,503	763,934	440,523
Oct	10,460	788,134	64,705	11,999	875,299	507,921
Nov	8,520	632,429	58,225	13,603	712,777	369,762
Dec	0	0	0	0	0	0
Jan	0	0	0	0	0	0
Feb	0	0	0	0	0	0
Mar	0	0	0	0	0	0
Apr	0	0	0	0	0	0
May	0	0	0	0	0	0
Jun	0	0	0	0	0	0
Total	54,505	3,997,529	416,130	51,170	4,519,334	2,061,353
23/24	186,555	12,324,178	1,020,367	106,440	13,637,540	4,948,850
22/23	114,562	12,445,050	943,431	81,842	13,584,885	4,162,759
21/22	109,610	11,455,728	1,217,128	101,107	12,883,572	4,057,812
20/21	219,357	8,442,181	965,406	135,103	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

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 a 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 November 2024 be noted.

Moved: _____

Seconded: _____

Carried: ____/ ____

12.3 PROJECTS AND REGULATORY SERVICES

12.3.1 DEVELOPMENT APPLICATION – OUTBUILDING (SHED) – LOT 102 (45) BANKSIA ROAD HOPETOUN

File Reference:	P24-40
Location:	Lot 102 (45) Banksia Road, Hopetoun
Applicant:	J Boley
Author:	Shire of Ravensthorpe Planning
Authorising Officer	Chief Executive Officer
Date:	6 December 2024
Disclosure of Interest:	None
Attachments: 12.3.1	Plans of Proposal
Previous Reference:	N/A

PURPOSE

1. For Council to determine Development Application P24-40 for an Outbuilding (Shed) at Lot 102 (45) Banksia Road, Hopetoun.

BACKGROUND

2. Shire of Ravensthorpe received Development Application P24-40 for an Outbuilding (Shed) at Lot 102 (45) Banksia Road, Hopetoun on 13 November 2024.

Due to the proposal including variations to maximum site area, maximum wall height and maximum ridge height, the application was referred to adjoining landowners between 14 November 2024 and 5 December 2024 with no comments or objections being received.

As per the provisions of Local Planning Policy: Outbuildings, as a variation is proposed to the provisions of Local Planning Policy: Outbuildings the application is to be determined by Council.

COMMENT

3. Lot 102 (45) Banksia Road, Hopetoun is zoned Rural Residential with a lot size of 1.4 hectares (14,000 square metres). The property is developed as a single house with an existing Outbuilding (Shed). The proposal calls for variations to maximum site area, maximum wall height and maximum ridge height under Local Planning Policy Outbuildings.

On a property under 2 hectares in the Rural Residential zone, the following can be considered for an Outbuilding (Shed):

- A maximum aggregate floor area of 200 square metres;
- A maximum wall height of 4.5 metres; and
- A maximum ridge height of 5.5 metres.

In this instance the applicant proposes the following:

- A 288 square metre Outbuilding (Shed) plus a 27 square metre external deck.
- A wall height of 6.0 metres;
- A ridge height of 6.793 metres.

There is also an existing Outbuilding (Shed) of approximately 80 square metres on the property, and a small garden shed of approximately 9 square metres. This will result in a total of approximately 377 square metres of Outbuilding (Shed) on the property.

The applicant has advised that the purpose of the Outbuilding (Shed) is for general storage, as well as parking of vehicles, a large 4wd camper, trailer and boat. The 6metre wall height is required for

storage of larger items and to allow enough space for the mezzanine floor which is to permit further storage.

As per the provisions of Local Planning Policy: Outbuildings, Council is to have regard for matters such as:

1. The visibility of the proposed outbuilding(s) as viewed from a street, public space or neighbouring property;
2. The need for removal of any native vegetation or major trees;
3. Comments from affected neighbours/landowners;
4. Preservation of useable on-site open space areas;
5. The ability for the outbuilding(s) to be screened by existing or proposed landscaping;
6. Whether support for the application will set an undesirable precedent for similar sized surrounding lots;
7. The impact of the development on streetscape and the character of the area;
8. The objectives of the zone;
9. All relevant general matters as set out in Clause 67 of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2); and
10. Any other matter considered relevant by the Council.

In regards to these criteria, Planning Officers advise the following:

1. While the Outbuilding will be visible from the street from certain angles, the size of the Outbuilding will not be detrimental to the visual amenity in the locality or to adjoining landowners;
2. The site is predominantly cleared and as such there is negligible need/requirement to remove native vegetation or major trees;
3. The adjoining landowners declined to provide comment as a result of neighbour referral letters;
4. There will still be sufficient open space to meet all open space criteria.
5. The outbuilding will be partially screened from the street and adjoining dwellings by the existing buildings and vegetation resulting in any impact being minor.
6. The Outbuilding does not set an undesirable precedent.
7. The impact from the proposed Outbuilding on the streetscape and surrounding area will be lessened by existing buildings and vegetation as well as distance from boundaries.
8. The proposed Outbuilding is compliant with the objectives of the Rural Residential zone.
9. The proposal can be considered a minor variation from the general matters set out in Clause 67 of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015;

As the proposal is for a relatively minor variation to the provisions of Local Planning Policy: Outbuildings and Residential Design Codes with impact on adjoining properties being mitigated by the vegetation, distance and screening provided by existing buildings, it is the position of Planning Officers that the proposal should be approved subject to conditions.

CONSULTATION

4. The application was referred to adjoining landowners between 14 November 2024 and 5 December 2024 with no comments or objections being received.

STATUTORY ENVIRONMENT

- Local Planning Scheme No. 6
- The applicant has a right of review to the State Administrative Tribunal if aggrieved by any planning decision.
- It should also be noted that pursuant to Section 211(1) of the *Planning and Development Act 2005*, a person aggrieved by the failure of a local government to enforce or implement effectively the observance of a local planning scheme may make representation to the Minister. If the Minister considers it appropriate to do so, representation may be referred to the State Administrative Tribunal for its report and recommendation. Following subsequent actions and recommendation by the SAT the Minister may order the local government to do all things considered necessary for enforcing the observance of the Scheme or any provisions of the Scheme.

POLICY IMPLICATIONS

- Local Planning Policy No.3 - Outbuildings

FINANCIAL IMPLICATIONS

- Application fees totalling \$147.00 were received as part of this application.

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Environmental	Rare	Insignificant	Very Low	Use of Outbuilding to be for domestic purposes only.
Reputational	Rare	Insignificant	Very Low	Consistency with decision making.

ALTERNATE OPTIONS

- Nil.

STRATEGIC ALIGNMENT

- This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022.

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
3.3	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

VOTING REQUIREMENTS

13. Simple Majority

OFFICER RECOMMENDATION

That Council:

APPROVE Development Application P24-40 for an Outbuilding (Shed) at Lot 102 (45) Banksia Road, Hopetoun subject to the following conditions:

- 1. Development shall be carried out in full and fully implemented in accordance with the approved plans and details submitted with the planning application.**
- 2. During construction stage, adjoining lots are not to be disturbed without the prior written consent of the affected owner(s).**
- 3. The approved outbuilding(s) shall be used for purposes incidental and ancillary to the enjoyment of the dwelling on the land only, and shall not be used for human habitation, commercial or industrial uses without the express written permission of the Shire of Ravensthorpe.**
- 4. All stormwater and drainage run off from all roofed and impervious areas is to be retained on-site to the satisfaction of the Shire of Ravensthorpe.**
- 5. The provision of all services, including augmentation of existing services, necessary as a consequence of any proposed development shall be at the cost of the developer and at no cost to the Shire of Ravensthorpe.**
- 6. The development hereby approved must not create community safety concerns, or otherwise adversely affect the amenity of the subject locality by reason of (or the appearance or emission of) smoke, fumes, noise, vibration, odour, vapour, dust, waste water, waste products or other pollutants.**
- 7. The works involved in the implementation of the development must not cause sand drift and/or dust nuisance. In the event that the Shire of Ravensthorpe is aware of, or is made aware of, the existence of a dust problem, measures such as installation of sprinklers, use of water tanks, mulching, or other land management systems as appropriate may be required to be installed or implemented to prevent or control dust nuisance, and such measures shall be installed or implemented within the time and manner directed by the Shire of Ravensthorpe.**
- 8. All fencing shall be in accordance with Shire of Ravensthorpe Local Planning Policy: Fencing.**
- 9. The proposed operations, during and after construction, are required to comply with the *Environmental Protection (Noise) Regulations 1997*.**

And the following advice notes:

- 1. THIS IS NOT A BUILDING PERMIT. An application for a building permit is required to be submitted and approved by the Shire of Ravensthorpe prior to any works commencing on-site.**
- 2. The development is to comply with the *Building Code of Australia, Building Act 2011, Building Regulations 2012* and the *Local Government Act 1995*.**
- 3. It is the responsibility of the developer to search the title of the property to ascertain the presence of any easements and/or restrictive covenants that may apply.**

4. It is the responsibility of the applicant to ensure that building setbacks correspond with the legal description of the land. This may necessitate re-surveying and re-pegging the site. The Shire of Ravensthorpe will take no responsibility for incorrectly located buildings.
5. The Shire of Ravensthorpe strongly recommends that the vehicle parking, maneuvering and circulation areas be suitably constructed, sealed (asphalt, concrete or brickpavers), drained and thereafter maintained to facilitate access to the property and Outbuilding (Shed).
6. The Department of Water and Environment Regulation has prepared dust control guidelines for development sites, which outline the procedures for the preparation of dust management plans. Further information on the guidelines can be obtained from the Department of Water and Environment and Regulation's website www.dwer.wa.gov.au under air quality publications.

Moved: _____

Seconded: _____

Carried: ____/ ____

12.4 INFRASTRUCTURE SERVICES

Nil.

13. MEMBERS NOTIONS 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

15.1.1 ORGANISATIONAL HUMAN RESOURCE MATTERS

16. CLOSURE

The Presiding Member to declare the meeting closed.