



# Agenda

2020-2021 Annual  
Electors Meeting

Tuesday, 6 September  
2022



# NOTICE OF MEETING

Notice is hereby given that the

Shire of Ravensthorpe

2020-2021 Annual Electors Meeting

will be held on  
Tuesday, 6 September 2022  
commencing at 6.00pm

Council Chambers,  
Ravensthorpe Recreation Centre  
Ravensthorpe

Matthew Bird  
Chief Executive Officer

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**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.

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**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: Chief Executive Officer

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)

\_\_\_\_\_

\_\_\_\_\_

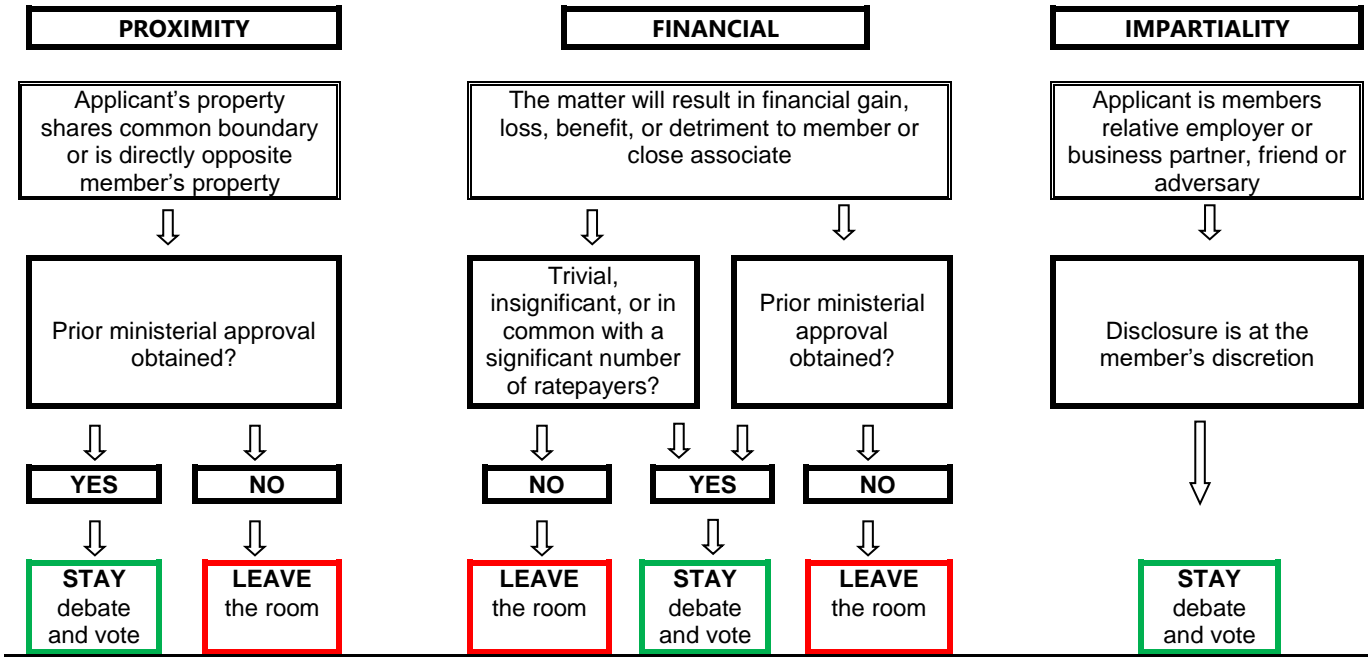
Signed: \_\_\_\_\_ Date: \_\_\_\_\_

- **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.

CEO: \_\_\_\_\_ 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.*

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## 1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Shire President to declare the meeting open.

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

The Shire President to advise visitors of the requirement to adhere to both the *Local Government Act 1995*, and the Shire of Ravensthorpe Meeting Procedures Local Law.

It is an offence to record the proceedings of this meeting and visitors are reminded to switch off any recording devices, including phones.

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

### **Elected Members:**

Cr Keith Dunlop	(Shire President)
Cr Sue Leighton	(Deputy Shire President)
Cr Julia Bell	
Cr Rachel Livingston	
Cr Thomas Major	
Cr Mark Mudie	
Cr Graham Richardson	

### **Staff:**

Matthew Bird	(Chief Executive Officer)
Les Mainwaring	(Executive Manager Corporate Services)
[vacant]	(Executive Manager Infrastructure Services)
Natalie Bell	(Acting Executive Manager Development and Community)
Meredith Lee-Curtis	(Executive Assistant)

### **MEMBERS OF THE PUBLIC**

### **APOLOGIES**

### **ABSENT**

### 3. CONFIRMATION OF MINUTES OF PREVIOUS ANNUAL ELECTORS MEETING FOR THE 2019/2020 FINANCIAL YEAR

#### 3.1 ANNUAL ELECTORS MEETING MINUTES 4 MAY 2021 (Attachment YELLOW)

##### **Statutory Environment:**

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

##### **VOTING REQUIREMENTS**

Simple Majority

##### **OFFICER RECOMMENDATION**

**That the Minutes and associated attachments of the (2019/2020) Annual Electors Meeting of the Shire of Ravensthorpe held on 4 May 2021 be confirmed as a true and correct record of proceedings.**

Carried:   /  

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

### 4. SHIRE PRESIDENT'S REPORT

Cr Keith Dunlop to present the Shire President's Report for 2020/2021, as per page 7 of the 2020 / 2021 Annual Report (refer to Attachment).

##### **VOTING REQUIREMENTS**

Simple Majority

##### **OFFICER RECOMMENDATION**

**That the Shire President's Report be received.**

Carried:   /  

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

### 5. CHIEF EXECUTIVE OFFICER'S REPORT

Mr Matthew Bird, Chief Executive Officer, to present the Chief Executive Officer's Report (on behalf of Gavin Pollock, Ex-Chief Executive Officer) for 2020/2021, as per page 8 of the Annual Report (refer to Attachment).

##### **VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**That the Chief Executive Officer's Report be received.**

**Carried: \_/\_**

Moved: \_\_\_\_\_

Seconded: \_\_\_\_\_

**6. AUDITORS REPORT**

Mr Les Mainwaring, Executive Manager Corporate Services to present the Auditor General's Independent Auditors Report for the year ended 30 June 2021, commencing on page 22 of the Annual Report (refer to Attachment).

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**That the Auditor's Report be received.**

**Carried: \_/\_**

Moved: \_\_\_\_\_

Seconded: \_\_\_\_\_

**7. ANNUAL FINANCIAL REPORT**

Mr Les Mainwaring, Executive Manager Corporate Services to present the Annual Financial Report for the year ended 30 June 2021, commencing on page 27 of the Annual Report (refer to Attachment).

**VOTING REQUIREMENTS**

Absolute Majority

(Local Government Act 1995 s5.54(1) – Acceptance of Annual Reports)

**OFFICER RECOMMENDATION**

**That Council adopt, BY AN ABSOLUTE MAJORITY, the 2020 / 2021 Annual Financial Report be received.**

**Carried BY AN ABSOLUTE MAJORITY: \_/\_**

Moved: \_\_\_\_\_

Seconded: \_\_\_\_\_



**8. GENERAL BUSINESS**

8.1 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil.

8.2 QUESTIONS FROM ELECTORS AT THE MEETING

The Shire President to call for any questions from Electors concerning matters under the jurisdiction of the Shire of Ravensthorpe.

**9. MEETING CLOSURE**

The Presiding Member to declare the meeting closed.