



# Minutes **(Unconfirmed)**

2022-2023 Annual  
Electors Meeting

Tuesday, 6 February 2024



# NOTICE OF MEETING

## Shire of Ravensthorpe 2022-2023 Annual Electors Meeting

held on  
Tuesday, 6 February 2024  
6.00pm

Council Chambers  
Cultural Precinct  
Ravensthorpe

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: 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)  
\_\_\_\_\_  
\_\_\_\_\_

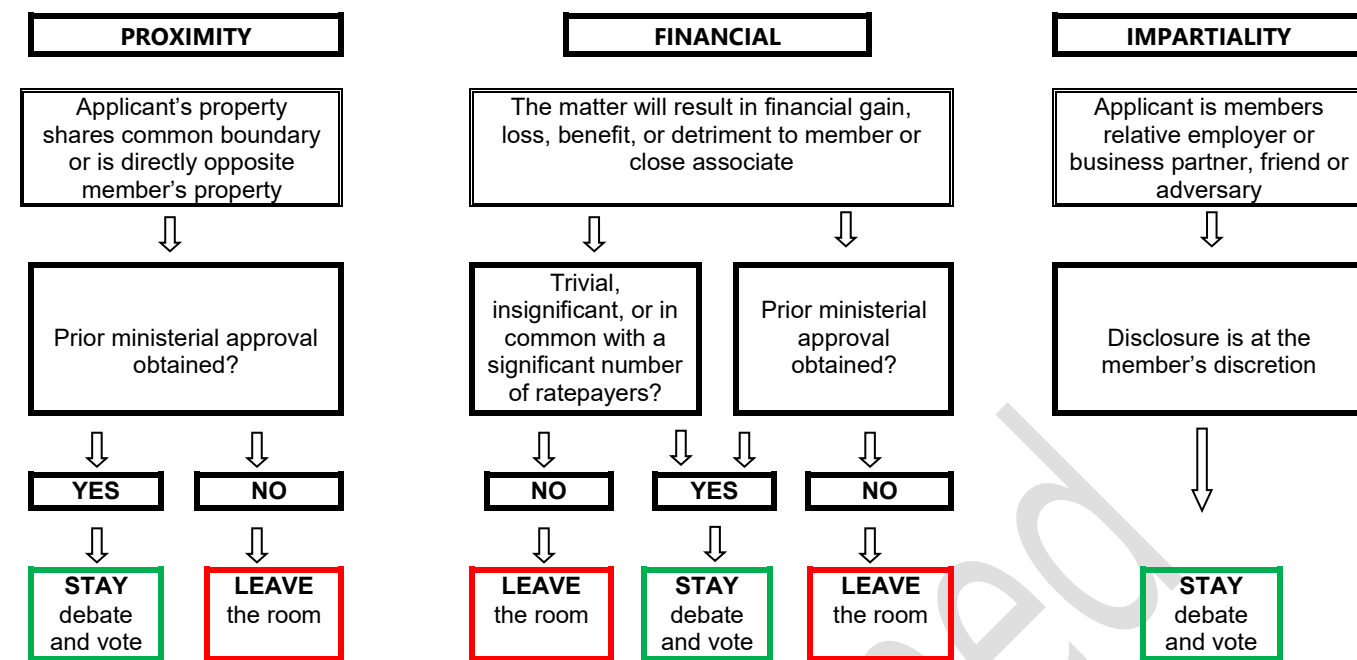
Signed: \_\_\_\_\_ Date: \_\_\_\_\_

- **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.

## INDEX OF AGENDA

1.	DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS	6
2.	RECORD OF ATTENDANCE, APOLOGIES AND APPROVED LEAVE OF ABSENCE	6
3.	CONFIRMATION OF MINUTES OF PREVIOUS ANNUAL ELECTORS MEETING FOR THE 2021/2022 FINANCIAL YEAR	7
3.1	ANNUAL ELECTORS MEETING MINUTES 9 MAY 2023 (ATTACHMENT 1)	7
4.	SHIRE PRESIDENT'S REPORT (ATTACHMENT 2)	7
5.	CHIEF EXECUTIVE OFFICER'S REPORT (ATTACHMENT 2)	7
6.	AUDITOR'S REPORT (ATTACHMENT 2)	8
7.	GENERAL BUSINESS	8
7.1	QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN	8
7.2	QUESTIONS FROM ELECTORS AT THE MEETING	9
8.	MEETING CLOSURE	10

# 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 declared the meeting open at 6.00pm.

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

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

## 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 Livingston  
Cr Rachel Gibson  
Cr Graham Richardson  
Cr Robert Miloseski

### **Staff:**

Matthew Bird (Chief Executive Officer)  
Les Mainwaring (Executive Manager Corporate Services)  
Paul Spencer (Executive Manager Infrastructure Services)

### **MEMBERS OF THE PUBLIC**

Kristy Dobson, Karen Sinclair, Jan Quinn, Honorary Freeman Rod Daw AFSM, ASM

### **APOLOGIES**

Cr Sue Leighton  
Natalie Bell (Executive Manager Projects & Regulatory Services)

### **ABSENT**

Nil



### **3. CONFIRMATION OF MINUTES OF PREVIOUS ANNUAL ELECTORS MEETING FOR THE 2021/2022 FINANCIAL YEAR**

#### **3.1 ANNUAL ELECTORS MEETING MINUTES 9 MAY 2023 (ATTACHMENT 1)**

##### **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

##### **COUNCIL DECISION**

**Moved by Cr Mudie, seconded by Cr Richardson Resolution: 01/24**

**That the Minutes and associated attachments of the (2021/2022) Annual Electors Meeting of the Shire of Ravensthorpe held on 9 May 2023 be confirmed as a true and correct record of proceedings.**

**Motion put and CARRIED 6/0**

Cr Leighton absent for vote

### **4. SHIRE PRESIDENT'S REPORT**

Cr Thomas Major presented the Shire President's Report for 2022/2023, as per pages 6 to 7 of the 2022/2023 Annual Report (refer to [Attachment 2](#)).

##### **VOTING REQUIREMENTS**

Simple Majority

##### **COUNCIL DECISION**

**Moved by Mr Rod Daw, seconded by Ms Jan Quinn Resolution: 02/24**

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

**Motion put and CARRIED 6/0**

Cr Leighton absent for vote

### **5. CHIEF EXECUTIVE OFFICER'S REPORT**

Mr Matthew Bird, Chief Executive Officer presented his Report for 2022/2023, as per pages 8 to 9 of the Annual Report (refer to [Attachment 2](#)).

##### **VOTING REQUIREMENTS**

Simple Majority

##### **COUNCIL DECISION**

**Moved by Mr Rod Daw, seconded by Karen Sinclair Resolution: 03/24**

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

**Motion put and CARRIED**

**6/0**

Cr Leighton absent for vote

## **6. AUDITOR'S REPORT**

Mr Les Mainwaring, Executive Manager Corporate Services presented the Auditor General's Independent Auditor's Report for the year ended 30 June 2023, commencing on page 31 of the Annual Report (refer to Attachment 2).

### **VOTING REQUIREMENTS**

Simple Majority

### **COUNCIL DECISION**

**Moved by Mr Rod Daw, seconded by Ms Kristy Dobson Resolution: 04/24**

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

**Motion put and CARRIED**

**6/0**

Cr Leighton absent for vote

## **7. GENERAL BUSINESS**

### **7.1 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN**

The following questions were received from Mr Sam Foulds in his capacity as President of the Hopetoun Progress Association and presented at the meeting with Shire President approval;

CEO response: *Thank you for your questions to Council on the Dog and Vehicles on beaches items. We appreciate the HPA has an interest in this, given the high level of community engagement through the process. In response to your questions, we provide the following;*

Q1. Can council please give an update on the implementation of the dog and vehicle on beaches laws voted on at the August 2023 council meeting?

CEO response: *The changes to the Dog Local Law are currently going through the gazettal process. Once in effect, the Shire will be planning the removal of the existing signage and installation of the new signage. In relation to the Vehicles on beaches, minor ancillary items such as designated access points for vehicles to enter the beach area are being defined. The determination by Council per the resolution at the August meeting will be implemented once that process has been finalized.*

Q2. The shire website currently has the draft laws 2022 for dogs along with the dog local law 2010 and local government property local law 2010 which covers vehicles. This would imply that no updated laws are currently in place and the old laws still currently apply?



CEO response: *That is correct. The existing laws apply until the new local laws take effect.*

Q3. What actions have been taken in the 6 months to implement the new laws and when does council believe that these new laws will be in place?

CEO response: *As per the above response in the first question. The Shire anticipates that the Dog Local Law will come into effect in late February, subject to any comments from the Minister. The changes to the property Local Law is through the Council determination process and subject to the ancillary matter noted above. We note again that there are existing Laws and these will continue to apply until the new local laws come into effect.*

Q4. What will the SOR be doing to do properly educate/advertise these changes to the public specifically locals and our many seasonal visitors/tourists/property owners to ensure that that everyone is adequately informed once these new laws are in place?

CEO response: *The Shire will install signage and maps identifying the areas. It will also use other media such as our website, Facebook page, the Community Spirit, notice boards and hard copies available at the Shire offices and CRC, and information centres. Where there are camp hosts, they will be advised of the changes and will be able to advise campers at our camp grounds. The Tourism Manager will be able to advise visitors that contact her directly. Our ranger team will go through a public education and transitional warning period. The HPA is also invited to assist in notifying its member base. The process of introducing these changes outside peak holiday periods will be beneficial in allowing the local community to get used to the changes which will in turn assist in the education process for visitor.*

## **7.2 QUESTIONS FROM ELECTORS AT THE MEETING**

The following questions were received from members of the public attending the meeting;

### **Ms Jan Quinn**

Q1. Has Shire had time to consider the request to place a park bench at the front beach in Hopetoun that recognises the efforts of long time resident Hazel Clarke?

CEO response: *Yes thank you Jan for your question and correspondence received on this matter. Shire officers are currently reviewing options for the location of the bench and will be advising Council of potential locations shortly.*

Q2. Can Council consider holding some Ordinary Council Meetings in Hopetoun rather than all at Ravensthorpe?

CEO response: *Unfortunately no, the decision was made to hold all formal Council meetings at the new Ravensthorpe Council Chambers building. This is in direct response to the recent changes in the Local Government regulations that requires*

*all meetings to be recorded meaning venues need to have minimum IT requirements. Council has replaced its holding of formal Council meetings around the Shire with "Community Catch Up" events which are far more effective community engagement events than OCMs.*

Q3. Can Shire please fix the street banner/flags on the main entry to Hopetoun?  
There are 3 faulty flags that need repairing.

CEO response: *Yes thank you Jan, we are aware of these faulty flags and looking at removing these and replacing all with a simpler attachment mechanism that will allow quicker and simpler replacement.*

**Honorary Freeman Mr Rod Daw**

Rod made a statement to Council stating he believed the Shire was currently travelling in calm seas and that the community feedback he receives regarding Council is very good. Councillors seem to be enjoying their tenure and the future is looking good.

CEO response: *the CEO thanked Rod for his comments.*

**8. MEETING CLOSURE**

There being no more questions and business the Presiding Member thanked those members of the public for attending and declared the meeting closed at 6.19pm.