



# **MINUTES**

## **Special Council Meeting**

**Monday, 20 September 2021**

**Commencing at 8.45am**

**Council Chambers,**

**Ravensthorpe Recreation Centre**

## SHIRE OF RAVENSTHORPE

Minutes for the Ordinary Meeting of Council to be held in the Council Chambers, Ravensthorpe Recreation Centre, on Monday, 20 September 2021 – commencing at 8.45am.

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## **EXTRACT FROM LOCAL GOVERNMENT ACT 1995**

### **5.5. CONVENING COUNCIL MEETINGS**

- (1) The CEO is to convene an ordinary meeting by giving each council member at least 72 hours' notice of the date, time and place of the meeting and an agenda for the meeting.
- (2) **The CEO is to convene a special meeting by giving each council member notice, before the meeting, of the date, time, place and purpose of the meeting.**

#### **1. Declaration of Opening / Announcements of Visitors**

The Presiding Member declared the meeting open at 9.00am

#### **2. Attendance / Apologies / Approved Leave of Absence**

COUNCILLOR'S:      Cr Keith Dunlop            (Shire President)  
                             Cr Julianne Belli            (Deputy Shire President)  
                             Cr Ian Goldfinch  
                             Cr Thomas Major  
                             Cr Graham Richardson

STAFF:                Brian Jones                    (Acting Chief Executive Officer)

APOLOGIES:        Cr Sue Leighton  
                             Cr Mark Mudie

ON LEAVE OF ABSENCE:

ABSENT:

MEMBER OF THE PUBLIC:

#### **3. Announcements by the Presiding Member**

#### **4. Business of an Urgent Nature Introduced by Decision of Meeting**

New business of an urgent nature introduced by decision of the meeting. Best practice provides that Council should only consider items that have been included on the Agenda (to allow ample time for Councillors to research prior to the meeting) and which have an Officer Report (to provide the background to the issue and a recommended decision).

## 4.1 Elected Members

Nil.

## 4.2 Officers

### 4.2.1 Extraordinary Local Government Election

**File Reference:** GV.EL.10  
**Location:** Shire of Ravensthorpe  
**Applicant:** A/Chief Executive Officer  
**Author:** A/Chief Executive Officer  
**Authorising Officer:** A/Chief Executive Officer  
**Date:** 16 September 2021  
**Disclosure of Interest:** Nil  
**Attachments:** Nil  
**Previous Reference:** Nil

#### Summary:

To set a date for the extraordinary election and to appoint the WA Electoral Commission to conduct the election as a postal election.

#### Background:

Council had three (3) vacancies for Councillor for the ordinary 2021 local government elections. At the close of nominations on Thursday 9 September 2021 only two (2) nominations were received.

Council is now required to hold an extraordinary election to fill the remaining vacancy.

#### Comment:

The WA Electoral Commission have advised that they can hold an extraordinary postal vote election on either Friday 10 December or Friday 17 December.

Administration are recommending that Council agree to have the extraordinary election on Friday 10 December 2021, this will flow into the timing of the last Ordinary Council Meeting on Tuesday, 14 December 2021, avoiding the need to reconvene in the week leading up to Christmas.

Council are required to agree to appoint the WA Electoral Commissioner to conduct the election no later than Tuesday 21 September which is why this matter needs to be dealt with at a Special Council meeting.

#### Consultation:

Shire President.

#### Statutory Environment:

Local Government Act 1995 - Division 4 — Extraordinary elections

#### 4.8. *Extraordinary elections*

- (1) *If the office of a councillor or of an elector mayor or president becomes vacant under section 2.32 an election to fill the office is to be held.*
- (2) *An election is also to be held under this section if section 4.57 or 4.58 so requires. **(4.57 Less candidates than vacancies or 4.58 death)***
- (3) *An election under this section is called an **extraordinary election**.*

*[Section 4.8 amended: No. 2 of 2012 s. 10.]*

4.9. *Election day for extraordinary election*

- (1) *Any poll needed for an extraordinary election is to be held on a day decided on and fixed —*
  - (a) *by the mayor or president, in writing, if a day has not already been fixed under paragraph (b); or*
  - (b) *by the council at a meeting held within one month after the vacancy occurs, if a day has not already been fixed under paragraph (a).*
- (2) *The election day fixed for an extraordinary election is to be a day that allows enough time for the electoral requirements to be complied with but, unless the Electoral Commissioner approves or section 4.10(b) applies, it cannot be later than 4 months after the vacancy occurs.*
- (3) *If at the end of one month after the vacancy occurs an election day has not been fixed, the CEO is to notify the Electoral Commissioner and the Electoral Commissioner is to —*
  - (a) *fix a day for the holding of the poll that allows enough time for the electoral requirements to be complied with; and*
  - (b) *advise the CEO of the day fixed.*

**Policy Implications:**

Nil.

**Financial Implications:**

Provision has been included in the Budget to hold a postal election.

**Strategic Implications:**

Nil.

**Sustainability Implications:**

- **Environmental:** There are no known significant environmental considerations.
- **Economic:** There are no known significant economic considerations.
- **Social:** There are no known significant social considerations.

**Risk Implications:**

Risk	(2) Low
Risk Likelihood (based on history and with existing controls)	(2) Low
Risk Impact / Consequence	(2) Low
Risk Rating (Prior to Treatment or Control)	(2) Low
Principal Risk Theme	(2) Low
Risk Action Plan (Controls or Treatment Proposed)	(2) Low

**Risk Matrix:**

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

**Moved: Cr Belli**

**Seconded: Cr Richardson**

**Res: 113/21**

Recommendation:

That Council:

- Agree to hold the extraordinary election for one (1) Council member on Friday 10 December 2021, and
- Agree to engage the Electoral Commissioner to run the election as a postal voting election.

**Decision**

**That Council:**

- **Agree to hold the extraordinary election for two (2) Council member on Friday 10 December 2021, and**
- **Agree to engage the Electoral Commissioner to run the election as a postal voting election.**

**Voting Requirements: Absolute Majority**

**Carried: 5/0**

Note: Prior to the start of the meeting Cr Goldfinch advised of his resignation from Council, effective immediately following the closure of this meeting. The motion moved by Council differed to the Officers recommendation by increasing the number of vacancies from one (1) to two (2), as there will now be two vacant Council positions to fill at the extraordinary election.

**4.2.2 Resignation of Cr Ian Goldfinch**

**Moved: Cr Richardson**

**Seconded: Cr Major**

**Res: 114/21**

**Decision**

**That Council accept with regret the resignation of Cr Goldfinch and acknowledge his long and distinguished service as a Councillor and Shire President since he was first elected on 16 May 1987.**

**Voting Requirements: Absolute Majority**

**Carried: 5/0**

**5. Matters Behind Closed Doors**

Nil.

**6. Closure of Meeting**

The Presiding Member declared the meeting closed at 9.15am.

These minutes were confirmed at the meeting of the Ordinary Council Meeting 19 October 2021.

Signed:   
(Presiding Person at the meeting of which the minutes were confirmed.)

Date: 19 October 2021