

MINUTES

For the Special Council Meeting held on

Thursday 28 March, 2019

Commencing at 5.32 pm.

In the Council Chambers, Ravensthorpe.



SHIRE OF RAVENSTHORPE

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A handwritten signature in black ink, appearing to be "G. Pollock", is written over a horizontal line.

Gavin Pollock
Chief Executive Officer

3/4/2019

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WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL

NOTE: USE ONE FORM PER DECLARATION

I, (1) _____ wish to declare an interest in the following item to be considered by council at its meeting to be held on (2)

Agenda item (3) _____

The type of interest I wish to declare is (4)

- Financial pursuant to Sections 5.60A of the Local Government Act 1995
- Proximity pursuant to Section 5.60B of the Local Government Act 1995
- Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995
- Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulation 2007

The nature of my interest is (5)

The extent of my interest is (6)

I understand that the above information will be recorded in the Minutes of the meeting and recorded by the Chief Executive Officer in an appropriate Register.

Signature Date

RECEIVED BY: _____
Chief Executive Officer Date

- (1) Insert you name.
- (2) Insert the date of the Council Meeting at which the item it to be considered.
- (3) Insert the Agenda Item Number and Title.
- (4) Tick the box to indicate the type of interest.
- (5) Describe the nature of your interest.
- (6) Describe the extent of your interest (if seeking to participate in the matter under the s.5.68 of the Act)

Financial pursuant to Sections 5.60A of the Local Government Act 1995**5.60A – Financial Interest**

For the purpose of this Subdivision, 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.

[Section 5.60A inserted by No. 64 of 1998 s. 30; amended by No. 49 of 2004 s. 50.]

Proximity pursuant to Section 5.60B of the Local government Act 1995**5.60 B – Proximity Interest**

- (1). For the purposes of this Subdivision, 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;
 - (b). a proposed change to zoning or use of land that adjoins that person's land; or
 - (c). a proposed development (as defined in section 5.63 (5)) of land that adjoins the person's land.
- (2). In this section, land ("**the proposal land**") adjoins a person's land if –
 - (a). the proposal land, not being a thoroughfare, has a common boundary with the person's land;
 - (b). the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
 - (c). the proposal land is that part of a thoroughfare that has a common boundary with the person's land.
- (3). In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

[Section 5.60B inserted by No 64 of 1998 s. 30.]

Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995**5.61 – Indirect financial interest**

A reference in this Subdivision to an indirect financial interest of a person in a matter includes a reference to a financial relationship between that person and another person who requires a local government decision in relation to the matter.

Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulation 2007**11 – Disclosure of interest**

- (1). In this regulation –
Interest means an interest that could, or could reasonably be perceived to; adversely affect the impartiality of the person having the interest arising from kinship friendship or membership of an association.
- (2). A person who is a council member and who has an interest in any matter to be discussed at a council or committee meeting 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.
- (3). Sub-regulation (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4). Sub-regulation (2) does not apply if –
- (a). A person who is a council member fails to disclose an interest because the person did not know he or she has an interest in the matter; or
 - (b). A person who is a council member fails to disclose an interest because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person disclosed the interest as soon as possible after the discussion began.
- (5). If, under sub-regulation (2)(a), a person who is a council member discloses an interest in a written notice given to the CEO before a meeting then –
- (a). Before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (b). At the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before a matter to which the disclosure related is discussed.
- (6). If –
- (a). Under sub-regulation (2)(b) or (4)(b) a person's interest in a matter is disclosed at a meeting; or
 - (b). Under sub-regulation (5) (b) notice of a person's interest in a matter is brought to the attention of the persons present at a meeting.

The nature of the interest is to be recorded in the minutes of the meeting.

Describe the extent of your interest (If seeking to participate in the matter under the s.5.68 of the act)

5.68 – Councils and committees may allow members disclosing interests to participate etc. in meetings

- (1). If a member has disclosed, under section 5.65, an interest in a matter, the members present at the meeting who are entitled to vote on the matter
- (a). may allow the disclosing member to be present during any discussion or decision making procedure relating to the matter; and
 - (b). may allow , to the extent decided by those members, the disclosing member to preside at the meeting (if otherwise qualified to preside) or to participate in discussions and the decision making procedures relating to the matter if –
 - (i) the disclosing member also discloses the extent of the interest; and
 - (ii) those members decide that the interest –
 - (I) is so trivial or insignificant as to be unlikely to influence the disclosing member's conduct in relation to the matter; or
 - (II) is common to a significant number of electors or ratepayers
- (2). A decision under this section is to be recorded in the minutes of the meeting relating to the matter together with the extent of any participation allowed by the council or committee.
- (3). This sections does not prevent the disclosing member from discussing, or participating in the decision making process on, the question on whether an application should be made to the Minister under section 5.69.

Ratepayers and residents are welcome to attend the council meetings and participate in the Public Question time session which are held at the beginning of each Council Meeting.

SPECIAL MEETING OF COUNCIL

**HELD IN THE COUNCIL CHAMBERS, RAVENSTHORPE ON 28
MARCH 2019, COMMENCING AT 5.30PM**

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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 / ANNOUNCEMENT OF VISITORS**2. ATTENDANCE / APOLOGIES/ APPROVED LEAVE OF ABSENCE**

MEMBERS: Cr Keith Dunlop (Shire President)
Cr Julianne Belli (Deputy Shire President)
Cr Ian Goldfinch
Cr Peter Smith
Cr Kerry Dickinson
Cr Thomas Major

STAFF: Gavin Pollock Chief Executive Officer
Helen Coleman Personal Assistant

APOLOGIES: Cr Graham Richardson
Graham Steel Manager Engineering Services

ON LEAVE OF ABSENCE:

ABSENT:

3. PUBLIC QUESTION TIME**4. DISCLOSURE OF INTEREST**

5. SPECIAL BUSINESS

5.1. 2018-2019 ANNUAL BUDGET REVIEW

File Ref:	FM.BU.1
Applicant:	Gavin Pollock - Chief Executive Officer
Location:	Shire of Ravensthorpe
Date:	27 March 2019
Author:	Bev Webb - Consultant
Authorising Officer:	Gavin Pollock – Chief Executive Officer
Attachments:	Supporting Budget Review Documents

Summary:

This item addresses Council's annual statutory budget review and gives an indication and projection of the end of year financial position. Based on current expenditure patterns and review of major projects Council is projected to meet the budgeted carry forward of a very small loss of \$597 into 2019/2020.

Background:

Under Regulation 33A (2) and (3) of the *Financial Management Regulations*, a budget review is to be undertaken by Senior Staff, the results of which are to be presented to Council within 30 days of completion and then forwarded to the Department of Local Government and Regional Development, along with Council's determination.

A budget review was undertaken by the Chief Executive Officer using figures to 28 February 2019. The attached Budget Review Summary details the review undertaken and the results are hereby reviewed and submitted to be received by Council.

Comment:

The projections contained within the reports are estimates done to the best of the abilities of the staff involved consulting with current accounts, forecasted expenditures and current budgets. These estimates do not guarantee that the 2018/2019 projected results will match the end of year result as there are many external influences that can have a bearing on Council's capacity or expenditure.

Members of Council:

Audit fees have increased by \$7,000 pertaining to the completion of the 2017/2018 Annual Financial Report.

Law Order & Public Safety:

An allocation of \$90,000 is made to cover the cost of the whale removal and disposal at Hopetoun.

Housing:

The housing budget has been increased overall by \$26,027 with a reduction in maintenance and an increase in capital works required.

Community Amenities:

Building maintenance on public toilets has been reduced by \$81,370 to fund the whale removal and disposal.

Recreation and Culture:

Public Halls building maintenance has been reduced by \$162,740 to fund housing improvements of \$26,027, the Hopetoun Lighting Project of \$85,000, CRC ceiling maintenance of \$18,083 and the Youth activities/projects of \$18,000. The remaining \$15,630 will fund the increase in audit fees and part whale removal costs.

Reserves:

Reserves will be as originally budgeted with no changes anticipated.

General Observations:

The full extent of the reinstatement works following the February 2017 floods is still having a major impact on the works programme and budget for this year. The shire has been working with Opus and other major stakeholders to establish and fulfill the main roads requirements to submit WANDRRA claims and receive reimbursement for works undertaken.

All the budget schedules have been reviewed to ensure that works can be undertaken and costs covered and under expenditure in building maintenance has enabled funds to be reallocated to urgent capital improvements to some buildings.

Consultation:

Senior Officers

Council Financial Accounts

Statutory Obligations:**Local Government (Financial Management) Regulations 1996****Part 3 Annual budget — s. 6.2****33A. Review of budget**

(1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.

(2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the Council.

(3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

**Absolute majority required.*

(4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

Policy Implications:

Nil

Budget / Financial Implications:

End of Year Financial Forecast remains as budgeted.

Strategic Implications:

To complement the Shire of Ravensthorpe Community Strategic Plan and long term financial plan.

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:

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not having appropriately qualified staff	Rare (1)	Moderate (3)	Low (1-4)	Failure to have appropriately qualified staff to provide advice to Council and management	Accept Officer Recommendation

Voting Requirements:

Absolute majority.

COUNCIL RESOLUTION ITEM 5.1

Moved : Cr Dickinson Seconded: Cr Smith

1. That Council adopt the budget review, as presented, for the financial year 2018/2019 and directs the Chief Executive Officer to amend the budget accordingly.


2. That Council request the Chief Executive Officer conduct a further Budget Review and report back to Council once the 2017/18 audited Annual Financial Report has been received by Council.

Carried: 6/0 Res: 24/19

6.

7. CLOSURE OF MEETING: 6.12pm

These minutes were confirmed at the meeting of the 18 June 2019

Signed: 

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

Date: 18 June 2019