



Minutes **Unconfirmed**

Special Council Meeting

Tuesday, 31 October 2023



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NOTICE OF MEETING

Notice is hereby given that the

Shire of Ravensthorpe
Special Meeting of Council

will be held on
Tuesday, 31 October 2023
commencing at 5.00pm

Council Chambers,
Ravensthorpe 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.

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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.

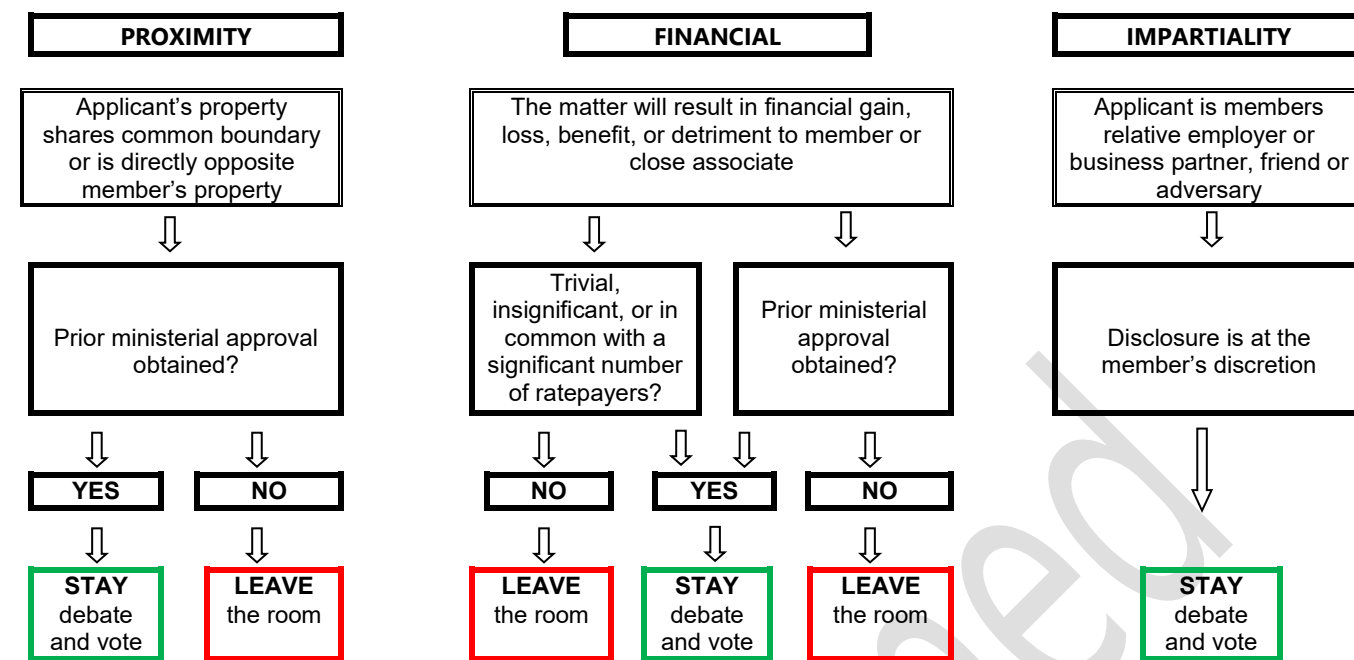
CEO: _____ Signed: _____ Date: _____

OFFICE USE ONLY

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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MINUTES

Mission Statement *To grow our community through the provision of leadership, services and infrastructure.*

1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The CEO welcomed all and acknowledged the Traditional Owners of the land on which we meet, and pays respect to Elders past, present, and emerging.

The CEO acknowledged and welcomed Mr Keith Rowe, Hon Freeman of the Shire.

The CEO invited newly Elected Members of the Council to individually take the Declaration of office in accordance with Section 2.29 of the *Local Government Act 1995*.

2. SWEARING IN OF NEWLY ELECTED COUNCILLORS

Councillors Gibson, Mudie, Leighton and Miloseski were sworn in by Mr Keith Rowe.

3. RECORD OF ATTENDANCE, APOLOGIES AND APPROVED LEAVE OF ABSENCE

Elected Members:

Cr Rachel Livingston (attended electronically)

Cr Thomas Major

Cr Graham Richardson

Cr Rachel Gibson

Cr Mark Mudie

Cr Sue Leighton

Cr Robert Miloseski

Staff:

Matthew Bird (Chief Executive Officer)

Paul Spencer (Executive Manager Infrastructure Services)

Natalie Bell (Executive Manager Projects & Regulatory Services)

Mackenzie Edwards (Acting Manager Corporate Services)

MEMBERS OF THE PUBLIC

Special Guest – Honorary Freeman of the Shire Mr Keith Rowe

Ms Julia Bell

Ms Karen Sinclair

Ms Kristy Dobson

Ms Elaine Mudie

APOLOGIES

Meredith Lee-Curtis (Executive Assistant)
Les Mainwaring (Executive Manager Corporate Services)

LEAVE OF ABSENCE

Nil

4. PUBLIC QUESTIONS TIME

Nil.

5. DECLARATIONS OF INTEREST

Nil.

6. ELECTION OF PRESIDENT

The CEO noted that as Cr Livingston was attending the meeting electronically she was not eligible to vote in the election of the Shire President and Deputy President however could participate as an observer and also nominate for these roles.

The CEO called for nominations for the role of Shire President. Two nominations were received being; Cr Major and Cr Leighton.

Mr Keith Rowe oversaw a secret ballot of Councillors present and declared Cr Major the new Shire President (votes 4-2).

Cr Major was sworn in as Shire President by Mr Rowe.

7. ELECTION OF DEPUTY PRESIDENT

With approval from the Shire President, the CEO called for nominations for the role of Deputy Shire President. Two nominations were received being; Cr Mudie and Cr Leighton.

Mr Keith Rowe oversaw a secret ballot and declared Cr Mudie the new Deputy Shire President (votes 4-2).

Cr Mudie was sworn in as Deputy Shire President by Mr Rowe.

8. ELECTION OF DELEGATES FOR COMMITTEES

8.1 COMMITTEE DELEGATES

File Reference: GR.ME.8
Location: Shire of Ravensthorpe
Applicant: N/A
Author: Chief Executive Officer

Authorising Officer	Chief Executive Officer
Date:	18 October 2023
Disclosure of Interest:	Nil
Attachments: <u>PINK</u>	1. List of Committees
Previous Reference:	N/A

PURPOSE

1. Council appoints delegates to local community groups and organisations every two (2) years during election year.
2. This report recommends continuation of this practice.

BACKGROUND

3. Nil.

COMMENT

4. Current Appointments are as per the attached Committee List.
5. Each councillor is entitled to sit or represent Council on at least one committee.
6. Council is required to determine delegates and formally adopt the appointments with a Council resolution.

CONSULTATION

7. Not Applicable

STATUTORY ENVIRONMENT

8. *Local Government Act 1995*

POLICY IMPLICATIONS

9. Nil

FINANCIAL IMPLICATIONS

10. Nil.

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational)	Possible	Minor	Low	Improved communication through delegates representing Council at community meetings.
Reputational	Likely	Moderate	Medium	Look at ways to advance continual improvement. Promote community engagement through public involvement. Listen to community concerns.

ALTERNATE OPTIONS

12. Nil

STRATEGIC ALIGNMENT

13. 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 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 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

VOTING REQUIREMENTS

14. Simple Majority

COUNCIL DECISION

Moved: by Cr Leighton and Seconded by Cr Miloseski

Resolution 99/23

That Council **ADOPT** the new schedule for delegates to Committees, Community Groups and Organisations as listed in below table.

<i>Council Delegates appointed</i>	<i>To the following Council Committees</i>
<u>Committee name</u>	<u>October 23 Councillor rep</u>
Audit Committee	Full Council
Bushfire Advisory Committee	Member – Cr Major
	Deputy – Cr Mudie
CEO Performance Review	Member – President Cr Major
	Member - Deputy President Cr Mudie
	Member – Cr Livingston
<i>Council Delegates appointed</i>	<i>To the following external Committees</i>

Committee name	October 23 Councillor rep
Great Southern Road Group	Delegate – Cr Mudie
	Proxy – Cr Gibson
Local Emergency Management Committee	Delegate – President Cr Major
	Proxy - Deputy President Cr Mudie
Development Assessment Panel	Delegate – Cr Miloseski
	Delegate – Cr Richardson
	Proxy – Cr Mudie
	Proxy – Cr Leighton
Hopetoun Progress Association	Delegate – Cr Richardson
	Proxy – Cr Miloseski
Munglinup Community Group	Delegate – Cr Leighton
	Proxy – Cr Richardson
Hopetoun Community Resource Centre	Delegate – Cr Leighton
	Proxy – Cr Livingston
Ravensthorpe Community Resource Centre	Delegate – Cr Livingston
	Proxy – Cr Major
Fitzgerald River National Park Advisory Group	Delegate – Cr Richardson
	Proxy – Cr Mudie
Ravensthorpe Agricultural Initiative Network	Delegate – Cr Major
	Proxy – Cr Mudie
Fitzgerald Biosphere Community Collective	Delegate – Cr Leighton
	Proxy – Cr Richardson
Hopetoun District Recreation Association	Delegate – Cr Miloseski
	Proxy – Cr Leighton
Ravensthorpe Historical Society	Delegate – Cr Leighton
	Proxy – Cr Major
Ravensthorpe Town Team (new)	Delegate – Cr Major
(new)	Proxy – Cr Mudie
Hopetoun Town Team (new)	Delegate – Cr Miloseski
(new)	Proxy – Cr Gibson
GEDC Regional Coordination Group (new)	Delegate – Cr Leighton
(new)	Proxy – Cr Richardson

Motion put and CARRIED by Simple Majority

6/0

9. MATTERS BEHIND CLOSED DOORS

Nil.

10. MEETING CLOSURE

The Presiding Member declared the meeting closed at 5.38pm.