

**PUBLIC MINUTES  
SPECIAL MEETING OF COUNCIL 19 MARCH 2021**



**SHIRE OF ASHBURTON  
SPECIAL MEETING OF COUNCIL**

**Public Minutes**

**via electronic means**

**19 March 2021**

**6.30 pm**

**CONFIDENTIAL MINUTES  
SPECIAL MEETING OF COUNCIL 19 MARCH 2021**

**SHIRE OF ASHBURTON  
SPECIAL MEETING OF COUNCIL**

The Chief Executive Officer recommends the endorsement of these minutes at the next Ordinary Meeting of Council.



**Mr Kenn Donohoe  
Chief Executive Officer**

Date: 19.3.2021

These minutes were confirmed by Council as a true and correct record of proceedings of the Special Meeting of Council on the 19 March 2021.

Presiding Member: K. M. White

Date: 29/04/21

**DISCLAIMER**

*The resolutions contained in the Minutes are subject to confirmation by Council. The Shire of Ashburton warns that anyone who has any application lodged with Council must obtain and should only rely on written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by the Council in respect of the application. No responsibility whatsoever is implied or accepted by the Shire of Ashburton for any act, omission or statement or intimation occurring during a Council meeting.*

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**1. DECLARATION OF OPENING**

The Presiding Member declared the meeting open at 6.33 pm.

**1.1 ACKNOWLEDGEMENT OF COUNTRY**

As representatives of the Shire of Ashburton Council, we respectfully acknowledge the local Indigenous people, the traditional custodians of this land where we are meeting upon today and pay our respects to them and all their elders both past and emerging.

**2. ANNOUNCEMENT OF VISITORS**

Members of the public are unable to attend in person therefore, the option to teleconference has been advised to the public.

**3. ATTENDANCE**

**3.1 PRESENT**

<b>Elected Members:</b>	Cr K White Cr D Diver Cr P Foster Cr R de Pledge Cr J Richardson Cr D Dias	Shire President (Presiding Member) Onslow Ward Deputy Shire President Tom Price Ward Tom Price Ward Ashburton Ward Tablelands Ward Paraburdoo Ward
<b>Staff:</b>	Mr K Donohoe Mr M Khosravi Mr M Khosravi Mrs M Lewis Mr M Connop	Chief Executive Officer Director Infrastructure Services Director Infrastructure Services Council Liaison Officer ICT Administrator
<b>Guests:</b>	Nil	
<b>Members of Public:</b>	There were no members of the public in attendance at the commencement of the meeting.	
<b>Members of Media:</b>	There were no members of the media in attendance at the commencement of the meeting.	

**3.2 APOLOGIES**

Cr L Rumble           Paraburdoo Ward  
Cr M Gallanagh       Pannawonica Ward  
Cr M Lynch           Tom Price Ward

**3.3 APPROVED LEAVE OF ABSENCE**

There were no Approved Leave of Absence for this meeting.

**4. PUBLIC QUESTION TIME**

There were no questions from the public for this meeting.

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**5. DECLARATION BY MEMBERS**

**5.1 DUE CONSIDERATION BY COUNCILLORS TO THE AGENDA**

All Councillors noted that they had given due consideration to all matters contained in the Agenda presently before the meeting.

**5.2 DECLARATIONS OF INTEREST**

**Councillors to Note**

A member who has an Impartiality, Proximity or Financial 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 Chief Executive Officer before the Meeting or;
  - (b) At the Meeting, immediately before the matter is discussed.
- A member, who makes a disclosure in respect to an interest, must not:
- (c) Preside at the part of the Meeting, relating to the matter or;
  - (d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the *Local Government Act 1995*.

**NOTES ON DECLARING INTERESTS (FOR YOUR GUIDANCE)**

The following notes are a basic guide for Councillors when they are considering whether they have an interest in a matter.

These notes are included in each agenda for the time being so that Councillors may refresh their memory.

- 1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.
- 2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
- 3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
- 4. If in doubt declare.
- 5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it

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**MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.

6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
  - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the *Local Government Act*; or
  - 6.2 Where the Minister allows the Councillor to participate under s.5.69 (3) of the *Local Government Act*, with or without conditions.

**Declarations of Interest provided:**

Item Number/ Name	Type of Interest	Nature/Extent of Interest
There were no Declarations of Interest for this meeting.		

**6. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION**

There were no Announcements by the Presiding Member for this meeting.

**7. BUSINESS**

There were no items of a public nature for this meeting.

**8. CONFIDENTIAL BUSINESS**

*Under the Local Government Act 1995, Part 5, and Section 5.23, states in part:*

**2. If a meeting is being held by a Council or by a committee referred to in subsection (2)(b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following:**

- (a) a matter affecting an employee or employees;**
- (b) the personal affairs of any person;**
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;**
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;**
- (e) a matter that if disclosed, would reveal:**
  - (I) a trade secret;**
  - (II) information that has a commercial value to a person; or**
  - (III) information about the business, professional, commercial or financial affairs of a person,**

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*Where the trade secret or information is held by, or is about, a person other than the local government.*

- (f) a matter that if disclosed, could be reasonably expected to:**
  - (I) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;**
  - (II) endanger the security of the local government's property; or**
  - (III) prejudice the maintenance or enforcement of any lawful measure for protecting public safety;**
  
- (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1981; and**
  
- (h) such other matters as may be prescribed.**

**Council Decision**

**MOVED: Cr D Diver**

**SECONDED: Cr R de Pledge**

**That Council move behind closed doors at 6.35 pm to consider the following Confidential Item.**

**Pursuant to sub section 5.23 (2) (c) of the *Local Government Act 1995* which provides:**

**8.1 CONFIDENTIAL ITEM - ONSLOW AIRPORT HELICOPTER INFRASTRUCTURE NEGOTIATIONS**

- (a) the personal affairs of any person; and**
- (a) a matter that if disclosed, would reveal —**
  - (ii) information about the business, professional, commercial, or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government.**

**CARRIED 6/0**

**8.1 CONFIDENTIAL ITEM - ONSLOW AIRPORT HELICOPTER INFRASTRUCTURE NEGOTIATIONS**

**FILE REFERENCE:** ONS.0016

**AUTHOR'S NAME AND POSITION:** Megan Walsh  
Onslow Airport Manager

**AUTHORISING OFFICER AND POSITION:** Kenn Donohoe  
Chief Executive Officer

**NAME OF APPLICANT/RESPONDENT:** PHI International

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**DATE REPORT WRITTEN:** 19 March 2021

**DISCLOSURE OF FINANCIAL INTEREST:** The author and the authorising officer have no financial, proximity or impartiality interests in the proposal

**PREVIOUS MEETING REFERENCE:** Not Applicable

**REASON FOR CONFIDENTIALITY**

*This Report is confidential in accordance with s5.23 (2) of the Local Government Act 1995 because it deals with matters affecting s5.23 (2):*

- (a) the personal affairs of any person; and*
- (a) a matter that if disclosed, would reveal —*
  - (ii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government”*

**Officers Recommendation and Council Decision**

**MINUTE 40/2021**

**MOVED: Cr J Richardson**

**SECONDED: Cr R de Pledge**

**That with respect to the Confidential Item - Onslow Airport Helicopter Infrastructure Negotiations, Council:**

- 1. Delegate Authority to the Chief Executive Officer to make improvements to the Onslow Airport infrastructure up to \$250,000, including but not limited to:**
  - **Transportable (offices and kitchenette)**
  - **Fire detection and alarm system**
  - **Security upgrades**
  - **Compressor enclosure**
  - **Emergency shower**
  - **Electrical upgrade**
- 2. Approve the following budget amendment:**
  - a. Decrease:**
    - i. GL W600 (Works Prog Airport General Maintenance) by \$129,525;**
    - ii. GL 11298930 (Incentive for Economic Development) by \$129,525; and**
  - b. Increase:**
    - i. New Capital Expenditure GL' (Airport Infrastructure) by \$259,050.**
- 3. Endorse the imposition of new fees and charges for utilisation of the Onslow Airport Landside Area (3) as indicated in the table below:**



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<b>Name</b>	<b>Basis of Charge</b>	<b>Year 20/21 Fee</b>	<b>GL</b>
<b>Airport Landside Area (3) 704 sqm</b>	<b>Monthly</b>	<b>1,173.33</b>	<b>TBA</b>

4. **Endorse the Chief Executive Officer to provide local public notice of the above fees and charges which it proposes will be imposed from 1 April 2021; and**
5. **Prior to any expenditure, endorse the Chief Executive Officer to invoice PHI International for six months for hangar and landside area costs.**

**CARRIED BY ABSOLUTE MAJORITY 6/0**

**Council Decision**

**MOVED: Cr D Diver**

**SECONDED: Cr R de Pledge**

**Council re-open the meeting at 6.43 pm.**

**There were no members of the public involved in this meeting.**

**CARRIED 6/0**

**9. CLOSURE OF MEETING**

There being no further business to discuss the Presiding Member closed the meeting at 6.44 pm.

**10. NEXT MEETING**

The next Ordinary Meeting of Council will be held on 20 April 2021, Clem Thompson Sports Pavilion, Stadium Road, Tom Price commencing at 1.00 pm.