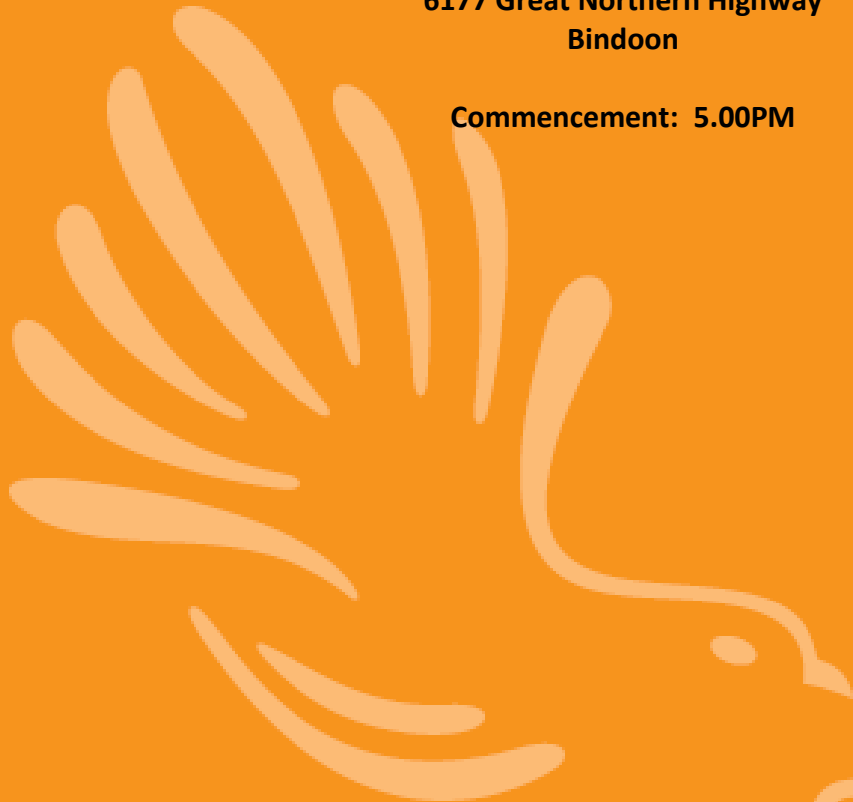


AGENDA FOR SPECIAL MEETING OF COUNCIL

TUESDAY, 29 JANUARY 2019

Council Chambers
6177 Great Northern Highway
Bindoon

Commencement: 5.00PM



Shire of
Chittering

Disclaimer

The purpose of this Council meeting is to discuss and, where possible, make resolutions about items appearing on the agenda.

Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the *Local Government Act 1995* (section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

The Shire of Chittering expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Council meeting.

Procedure for Public Question Time, Petitions, Deputations and Presentations at Council Meetings

Council thanks you for your participation in Council Meetings and trusts that your input will be beneficial to all parties. Council has a high regard for community input where possible, in its decision making processes.

<p>Petitions A formal Process where members of the community present a written request to the Council.</p>	<p>Deputations A formal process where members of the community request permission to address Council or Committee on an issue.</p>	<p>Presentations An occasion where awards or gifts may be accepted by the Council on behalf of the community, when the Council makes a presentation to a worthy recipient or when agencies may present a proposal that will impact on the Local Government.</p>
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Procedures for Deputations

The Council allows for members of the public to make a deputation to Council on an issue related to Local Government business.

Notice of deputations need to be received by **5pm on the day before the meeting** and agreed to by the Presiding Member. Please contact Executive Support Services via telephone on 9576 4600 or email chatter@chittering.wa.gov.au to arrange your deputation.

Where a deputation has been agreed to, during the meeting the Presiding Member will call upon the relevant person(s) to come forward and address Council.

A Deputation invited to attend a Council meeting:

- (a) is not to exceed five (5) persons, only two (2) of whom may address the Council, although others may respond to specific questions from Members;
- (b) is not to address the Council for a period exceeding ten (10) minutes without the agreement of the Council; and
- (c) additional members of the deputation may be allowed to speak with the agreement of the Presiding Member.

Council is unlikely to take any action on the matter discussed during the deputation without first considering an officer's report on that subject in a later Council agenda.

Procedure for Presentations

Notice of presentations being accepted by Council on behalf of the community, or agencies presenting a proposal, need to be received by **5pm on the day before the meeting** and agreed to by the Presiding Member. Please contact Executive Support Services via telephone on 9576 4600 or email chatter@chittering.wa.gov.au to arrange your presentation.

Where the Council is making a presentation to a worthy recipient, the recipient will be advised in advance and asked to attend the Council meeting to receive the award.

All presentations will be received/awarded by the Shire President or an appropriate Councillor.

Procedure for Petitions

Please note the following protocol for submissions of petitions. Petitions must:

- be addressed to the Shire President.
- be made by electors of the district.
- state the request on each page of the petition.
- contain the names, addresses and signatures of the elector(s) making the request, and the date each elector signed.
- contain a summary of the reasons for the request.
- state the name and address of the person whom arranged the petition for correspondence to be delivered to, as correspondence is not sent to all the signatures on the petition.

Where a petition does not relate to or conform to the above it may be treated as an 'informal' petition and the Chief Executive Officer may at his discretion forward the petition to Council accompanied by an officer report.

Procedure for Public Question Time

The Council extends a warm welcome to you in attending any meeting of the Council. Council is committed to involving the public in its decision making processes whenever possible, and the ability to ask questions during 'Public Question Time' is of critical importance in pursuing this public participation objective.

Council (as required by the *Local Government Act 1995*) sets aside a period of 'Public Question Time' to enable a member of the public to put up to two (2) questions to Council. Questions should only relate to the business of Council and should not be a statement or personal opinion. Upon receipt of a question from a member of the public, the Shire President may either answer the question or direct it to a Councillor or an Officer to answer, or it will be taken on notice.

Having regard for the requirements and principles of Council, the following procedures will be applied in accordance with the *Shire of Chittering Local Government (Council Meetings) Local Law 2014*:

1. Public Questions Time will be limited to fifteen (15) minutes.
2. Public Question Time will be conducted at an Ordinary Meeting of Council immediately following "Responses to Previous Public Questions Taken on Notice".
3. Each member of the public asking a question will be limited to two (2) minutes to ask their question(s).
4. Questions will be limited to two (2) per person.
5. Please state your name and address, and then ask your question.
6. Questions should be submitted to the Chief Executive Officer in writing by **5pm on the day before the meeting and be signed by the author**. This allows for an informed response to be given at the meeting.
7. Questions that have not been submitted in writing by 5pm on the day before the meeting will be responded to if they are straightforward.
8. If any question requires further research prior to an answer being given, the Presiding Member will indicate that the "question will be taken on notice" and a response will be forwarded to the member of the public following the necessary research being undertaken.
9. Where a member of the public provided written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
10. A summary of the question and the answer will be recorded in the minutes of the Council meeting at which the question was asked.

During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation.

Members of the public shall ensure that their mobile telephone and/or audible pager is not switched on or used during any meeting of the Council.

Members of the public are hereby advised that use of any electronic, visual or audio recording device or instrument to record proceedings of the Council is not permitted without the permission of the Presiding Member.

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* indicates separate attachments

Notice is hereby given that a Special meeting of the Shire of Chittering will be held on Tuesday, 29 January 2019 in the Council Chambers, Bindoon commencing at 5.00pm



Neil Hartley
Acting Chief Executive Officer

1. DECLARATION OF OPENING OF MEETING / ANNOUNCEMENTS OF VISITORS

The Presiding Member to declare the meeting open.

2. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

2.1 Attendance

2.2 Apologies

2.3 Approved leave of absence

3. DISCLOSURE OF INTEREST

4. PUBLIC QUESTION TIME

4.1 Public question time

5. PRESENTATIONS / PETITIONS / DEPUTATIONS

5.1 Petitions

5.2 Deputations

6. ANNOUNCEMENT FROM THE PRESIDING MEMBER

7. PURPOSE OF MEETING

7.1 Audit Committee: 29 January 2019*

Report date	29 January 2019
Applicant	Shire of Chittering
File ref	12/01/1
Prepared by	Finance Support Officer
Supervised by	Executive Manager Corporate Services
Disclosure of interest	Nil
Voting requirements	Simple Majority
Attachments	1. "Unconfirmed" Audit Committee Minutes dated 29 January 2019

Executive Summary

Council's consideration is requested to receive the unconfirmed minutes from the Audit Committee meeting that was held on 29 January 2019.

Background

The Chittering Audit Committee is scheduled to meet on 29 January 2019 where the following relevant officer recommendations will be considered:

6.2 OFFICER RECOMMENDATION

That the Audit Committee recommends to Council that it:

- 1. Receives the Audit Report of 19 December 2018 (as incorporated within the Annual Report);*
- 2. Pursuant to Sections 5.54 and 5.55 of the Local Government Act 1995, accepts the Annual Report and Financial Statements for the 2017-2018 financial year; and*
- 3. Convenes the Annual Electors Meeting for 7pm on Wednesday, 6 March 2019 at the Muchea Hall, Archibald Street, Muchea.*

6.3 OFFICER RECOMMENDATION

That the Audit Committee recommends to Council that it endorses the Delegated Authority Register as per Attachment 1 subject to only officer titles (not officer names) being used within the relevant delegations.

Consultation/Communication Implications

Local

Chittering Audit Committee
Moore Stephens

State

Nil

Legislative Implications

State

- *Local Government Act 1995 Section 5.54(2)*
(2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.'
- *Local Government Act 1995 Section 5.27*
Electors' general meetings
(1) A general meeting of the electors of a district is to be held once every financial year.
(2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
(3) The matters to be discussed at general electors' meetings are to be those prescribed.
- *Local Government Act 1995*
5.46. Register of, and records relevant to, delegations to CEO and employees
(1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
(2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
(3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.
- *Planning and Development Act 2005* including regulations and adopted policies
- *Dog Act 1976* and regulations
- *Bush Fires Act 1954* regulations and local laws created under that Act)
- *Health (Miscellaneous Provisions) Act 1911* (as amended) regulations and local law created under that Act
- *Freedom of Information Act 1992*
- *Land Administration Act 1997* as amended and regulations
- *Litter Act 1979* and regulations
- *Local Government (Miscellaneous Provision) Act 1960* as amended
- *Caravan Parks and Camping Grounds Act 1995*
- *Control of Vehicles (Off-Road Areas) Act 1978* and regulations
- *Strata Titles Act 1985*
- *Food Act 2008*
- *Environmental Protection Act 2005*
- *Building Act 2011*
- *Public Health Act 2016*
- *Land Act 1933*

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil

Strategic Implications

Local

Nil

State

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment/Details

Council is required to consider a date for the Annual Electors Meeting to meet the compliance requirements for the *Local Government Act 1995*.

7.1 COMMITTEE RECOMMENDATION

That Council:

- 1. Receives the unconfirmed minutes from the Audit Committee meeting held on 29 January 2019.**
- 2. Adopts the following Audit Committee recommendations:**
 - a. Receives the Audit Report of 19 December 2018 (as incorporated within the Annual Report);**
 - b. Pursuant to Sections 5.54 and 5.55 of the *Local Government Act 1995*, accepts the Annual Report and Financial Statements for the 2017-2018 financial year;**
 - c. Convenes the Annual Electors Meeting for 7pm on Wednesday, 6 March 2019 at the Muchea Hall, Archibald Street, Muchea; and**
 - d. Endorses the Delegated Authority Register as per Attachment 1 subject to only officer titles (not officer names) being used within the relevant delegations.**

8. CLOSURE

The Presiding Member to declare the meeting closed.



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8:30am - 4:30pm