

# Notice of Meeting



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Western Australia 6308  
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Dear Elected Member

The next Ordinary meeting of the Shire of Pingelly will be held on 21 November 2018 in the Council Chambers, 17 Queen Street, Pingelly commencing at 2.00pm.

The Pingelly Community Craft Centre will be providing dinner.

## **Schedule**

2pm Council Meeting

A handwritten signature in black ink, appearing to read 'G. Pollock'.

Gavin Pollock  
**Chief Executive Officer**

16 November 2018

## **DISCLAIMER**

No responsibility whatsoever is implied or accepted by the Shire of Pingelly for any act, omission or statement or intimation occurring during Council or Committee meetings or during formal/informal conversations with staff. The Shire of Pingelly disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings or discussions. Any person or legal entity that act or fails to act in reliance upon any statement does so at the person's or legal entity's own risk.

In particular and without derogating in any way from the broad 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 Pingelly during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Pingelly. The Shire of Pingelly warns that anyone who has an application lodged with the Shire of Pingelly must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of Pingelly in respect of the application.

## **AGENDA**

Shire of Pingelly  
Ordinary Council Meeting  
21 November 2018

## **MISSION STATEMENT**

*To enhance the quality of life for the people of Pingelly through the provision of leadership, services and infrastructure.*

## **DISCLAIMER**

### **INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS**

#### **PLEASE NOTE:**

The recommendations contained in this agenda are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Councils decision.

A handwritten signature in black ink, appearing to be 'G. Pollock', written in a cursive style.

**GAVIN POLLOCK  
CHIEF EXECUTIVE OFFICER**

## **COUNCIL MEETING INFORMATION NOTES**

Your Council generally handles all business at Ordinary or Special Council Meetings.

From time to time Council may form a Committee to examine subjects and then report to Council.

Generally all meetings are open to the public; however, from time to time Council will be required to deal with personal, legal and other sensitive matters. On those occasions Council will generally close that part of the meeting to the public. Every endeavour will be made to do this as the last item of business of the meeting.

**Public Question Time.** It is a requirement of the Local Government Act 1995 to allow at least fifteen (15) minutes for public question time following the opening and announcements at the beginning of the meeting. Should there be a series of questions the period can be extended at the discretion of the Chairman.

Written notice of each question should be given to the Chief Executive Officer fifteen (15) minutes prior to the commencement of the meeting. A summary of each question and response is included in the Minutes.

When a question is not able to be answered at the Council Meeting a written answer will be provided after the necessary research has been carried out. Council staff will endeavour to provide the answers prior to the next meeting of Council.

Councillors may from time to time have a financial interest in a matter before Council. Councillors must declare an interest and the extent of the interest in the matter on the Agenda. However, the Councillor can request the meeting to declare the matter trivial, insignificant or in common with a significant number of electors or ratepayers. The Councillor must leave the meeting whilst the matter is discussed and cannot vote unless those present agree as above.

Members of staff, who have delegated authority from Council to act on certain matters, may from time to time have a financial interest in a matter on the Agenda. The member of staff must declare that interest and generally the Chairman of the meeting will advise the Officer if he/she is to leave the meeting.

Agendas, including an Information Bulletin, are delivered to Councillors within the requirements of the Local Government Act 1995, i.e. seventy-two (72) hours prior to the advertised commencement of the meeting. Whilst late items are generally not considered there is provision on the Agenda for items of an urgent nature to be considered.

Should an elector wish to have a matter placed on the Agenda the relevant information should be forwarded to the Chief Executive Officer in time to allow the matter to be fully researched by staff. An Agenda item, including a recommendation, will then be submitted to Council for consideration. The Agenda closes the Monday week prior to the Council Meeting (i.e. ten (10) days prior to the meeting).

The Information Bulletin produced as part of the Agenda includes items of interest and information, which does not require a decision of Council.

Agendas for Ordinary Meetings are available at the Shire of Pingelly Office and on the Shire website seventy-two (72) hours prior to the meeting and the public are invited to secure a copy.

Agenda items submitted to Council will include a recommendation for Council consideration. Electors should not interpret and/or act on the recommendations until after they have been considered by Council. Please note the Disclaimer in the Agenda (page 3).

## Public Inspection of Unconfirmed Minutes (Reg 13)

A copy of the unconfirmed Minutes of Ordinary and Special Meetings will be available for public inspection from the Shire of Pingelly Office and the Shire of Pingelly website within ten (10) working days after the Meeting.

### NOTE:

#### Unopposed Business

Upon a motion being moved and seconded, the person presiding may ask the meeting if any member opposes it.

If no member signifies opposition to the motion the person presiding may declare the motion in sub clause (1) carried without debate and without taking a vote on it.

A motion carried under sub clause (2) is to be recorded in the minutes as a unanimous decision of the Council or committee.

If a member signifies opposition to a motion the motion is to be dealt with according to this Part.

This clause does not apply to any motion or decision to revoke or change a decision which has been made at a Council or committee meeting.

# PUBLIC QUESTION TIME AND INFORMATION

## QUESTIONS FROM THE PUBLIC (PUBLIC QUESTION TIME)

The Shire of Pingelly welcomes community participation during public question time and this document is to be read in conjunction with the *Shire of Pingelly Standing Orders Local Law 2017* and the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*.

1. A member of the public who raises a question during question time must:
  - a. be in attendance at the meeting;
  - b. first state their name and address;
  - c. direct the question to the Presiding Member;
  - d. ask the question briefly and concisely;
  - e. limit any preamble to matters directly relevant to the question; and
  - f. ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment, except where necessary to explain the question;
  - g. each member of the public with a question is entitled to ask up to 3 questions before other members of the public will be invited to ask their questions;
  - h. where a member of the public seeks a written response to their questions to be tabled at a meeting, the member of the public must submit their questions to Council by no later than 12 noon on the day prior to the meeting date of which the response is to be tabled;
  - i. where a member of the public submits their questions after 12 noon on the day prior to the meeting date of which the response is to be tabled, a written response may be provided at the discretion of the presiding member;
  - j. where a member of the public submits a written question after 12 noon the day prior to the meeting at which they are to be tabled, a verbal response may be provided at the meeting;
  - k. A member of the public may ask questions without notice at a meeting, provided they present a written copy of their questions to Council prior to the commencement of the meeting.

The following is a guide to assist you on the process of Public Question Time. You can submit questions using the form attached, or by e-mail to [admin@pingelly.wa.gov.au](mailto:admin@pingelly.wa.gov.au).

1. **Please Note:** Members of the public must be in attendance at the Council Meeting to which they have submitted a question(s) for response. If this is not the case, the question(s) will be treated as 'normal business correspondence' and the question / response will not appear in the Council Minutes.
2. This is a "question" time only. Orations, explanations or statements of belief will not be accepted or allowed.
3. Questions must relate to a matter affecting the Shire of Pingelly.
4. Questions must be appropriate and made in good faith. Those containing defamatory remarks, offensive language or question the competency or personal affairs of council members or employees may be ruled inappropriate by the Shire President or Presiding Member and therefore not considered.
5. Frame your question so that it is both precise and yet fully understood. Long questions covering a multitude of subjects are easily misunderstood and can result in poor replies being given.
6. Write your question down on the attached form, it helps you to express the question clearly and provides staff with an accurate record of exactly what you want to know.
7. When the Shire President calls for any questions from the public, stand up and wait until you are acknowledged and invited to speak. Please start by giving your name and address first, and then ask the question.
8. Questions to be put to the presiding member and answered by the Council. No questions can be put to individual Councillors.
9. The question time will be very early in the meeting. **There is only 15 minutes available for Question Time.** The extension of public question time beyond 15 minutes would require a Council resolution. Questions not asked may still be submitted to the meeting and will be responded to by mail.
10. When you have put your question, await the reply. If possible, the Shire President will answer directly or invite a staff member with special knowledge to answer in his place. Complex questions that require research, may be Taken on Notice by the Shire President and an answer will be forwarded to you in writing. Please note in NO circumstances, will the question be debated or discussed by Council at that meeting.
11. To maximise public participation only three questions per person with a time limit of 2 minutes per person unless extra time is granted by the presiding person.
12. To fill out the form, just enter your name and address in the appropriate areas together with details of any group you are representing, then write out your question.
13. Please ensure your form is submitted to the meeting secretary by 1.45pm.

If you have difficulty in writing the question, Shire staff are available on request to assist in this task.

We hope this note assists you in the asking of your question and thank you for your interest and participation in the affairs of our Shire.

## SHIRE OF PINGELLY QUESTIONS FROM THE PUBLIC

Name: \_\_\_\_\_

Residential Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Meeting Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Council Agenda Item Number: \_\_\_\_\_

If applicable-see below\*

Name of Organisation Representing: \_\_\_\_\_

If applicable

### QUESTION

Each member of the public is entitled to ask up to 3 questions before other members of the public will be invited to ask their question. 15 Minutes is allotted to Public Question Time at Council Meetings. If submitting questions to the Agenda Forum, they are to relate to the Agenda Item tabled at that meeting.

**Please Note:** Members of the public must be in attendance at the Council Meeting to which they have submitted a question(s) for response. If this is not the case, the questions(s) will be treated as 'normal business correspondence' and the question / response will not appear in the Council Minutes.

### Please see Notes on Public Question Time overleaf

\* **Agenda Forums:** Questions can only be addressed where they relate to an Agenda Item.

\* **Council Meetings:** Questions are to relate to a matter affecting the Shire of Pingelly.

SHIRE OF PINGELLY

DISCLOSURE OF INTERESTS

TO THE CHIEF EXECUTIVE OFFICER:

Under the Provisions of Division 6 of Part 5 of the Local Government Act 1995, I hereby disclose a Financial Interest/s in the matter/s listed on this form, which is/are scheduled for consideration at the meeting of Council to be held on:

21 November 2018
------------------

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

NOTE: Members of Council are asked to deliver this completed form to the Chief Executive Officer on the day of the Council Meeting as required by the Act. Where this is not practicable the Disclosure/s may be telephoned to the Council Office on 9887 1066 and/or the form subsequently passed to the Chief Executive Officer prior to the meeting.

ITEM NO	PAGE NO	TYPE	REASON



## DISCLOSURE OF FINANCIAL INTEREST, PROXIMITY INTEREST AND/OR INTEREST AFFECTING IMPARTIALITY

Chief Executive Officer, Shire of Pingelly

In accordance with Section 5.60-5.65 of the *Local Government Act* and Regulation 34(B) and 34(C) of the *Local Government (Administration) Regulations* and Regulation 11 of the *Local Government (Rules of Conduct) Regulations*, I advise you that I declare a  appropriate box):

financial interest (Section 5.60A)

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.

proximity interest (Section 5.60B)

A person has a proximity interest in a matter if the matter concerns a proposed —  
(a) change to a planning scheme affecting land that adjoins the person's land;  
(b) change to the zoning or use of land that adjoins the person's land; or  
(c) development (as defined in section 5.63(5)) of land that adjoins the person's land.

interest affecting impartiality (Regulation 11). I disclose that I have an association with the applicant. As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.

An interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association but does not include a financial or proximity interest as referred to in section 5.60.

## SHIRE OF PINGELLY

*Agenda for the Ordinary Meeting of Council to be held in the Council Chambers, 17 Queen Street, Pingelly on Wednesday 21 November 2018 – commencing at 2.00pm.*

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## **1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The Chairman to declare the meeting open.

## **2. ACKNOWLEDGEMENT OF COUNTRY**

We acknowledge the Noongar people of this area and recognise their continuing connection to land, waters and community. We pay respect to both the Aboriginal and non-Aboriginal people and past and present.

## **3. ANNOUNCEMENTS BY THE PRESIDING MEMBER**

### **3.1 Appointment of Acting Chief Executive Officer**

Barry Gibbs, Director Technical Services to be appointed Acting Chief Executive Officer for the duration of the Council Meeting.

### **3.2 Council Agenda Reports**

Please note that all elected members have been provided with the relevant information pertaining to each Officers reports within today's Agenda and the Officer Recommendations are based on Council Policy and or State Acts and Legislation.

## **4. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**

Apologies from the Chief Executive Officer, Mr Gavin Pollock.

## **5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

### **5.1 Mr Craig McLennan**

1. At the Ordinary Council Meeting of 18 September 2018 I asked for details of the attendance of the CEO at Council Meetings. I wish to clarify my question/s and to request information about another official Council meeting.

Can you please advise:

1. General Electors Meetings (GEM)
  - a) Number of GEM's held thus far in this calendar year?
    - Response: One (1).
  - b) Number of GEM's attended by the CEO in his official role as the CEO? (Not as a visitor.)
    - Response: No attendance as on approved leave.
  - c) Did the CEO attend any of these meetings as a visitor or on invitation?
    - Response: No.
2. Special Council Meetings (SCM)
  - a) Number of SCM's held thus far in this calendar year?
    - Response: Four (4).
  - b) Number of SCM's attended by the CEO in his official role as the CEO? (Not as a visitor.)
    - Response: Three (3).
  - c) Did the CEO attend any of these meetings as a visitor or on invitation?
    - Response: Yes, one (1).

3. Ordinary Council Meetings (OCM)
  - a) Number of OCM's held thus far in this calendar year?
    - Response: Nine (09).
  - b) Number of OCM's attended by the CEO in his official role as the CEO? (Not as a visitor.)
    - Response: Seven (7) as on approved leave for two (2).
  - c) Did the CEO attend any of these meetings as a visitor or on invitation?
    - Response: No.
2. Shire credit card statements being published:

The Shire Councillors are provided a detailed listing of all credit card transactions each month for review and comment. Due to possible fraud and security reasons the full listing of transactions is not published nor is there any requirement to do so.
3. Request for the QS reports used for the Pingelly Recreation and Cultural Centre (PRACC) construction:

This question has been previously answered and as stated during the meeting a copy of the original QS summary page dated the 13<sup>th</sup> January 2017 that was used as a base document for construction has now been provided.

**6. PUBLIC QUESTION TIME**

**7. APPLICATIONS FOR LEAVE OF ABSENCE**

**8. DISCLOSURES OF INTEREST**

## **9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

### **9.1 Ordinary Meeting – 17 October 2018**

**Statutory Environment:**

Section 5.22 of the *Local Government Act* provides that minutes of all meeting to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

**Voting Requirements:**

Simple Majority

**Recommendation:**

**That the Minutes of the Ordinary Meeting of the Council of the Shire of Pingelly held in the Council Chambers on 17 October 2018 be confirmed.**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

### **9.2 Special Council Meeting – 7 November 2018**

**Statutory Environment:**

Section 5.22 of the *Local Government Act* provides that minutes of all meeting to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

**Voting Requirements:**

Simple Majority

**Recommendation:**

**That the Minutes of the Special Meeting of the Council of the Shire of Pingelly held in the Council Chambers on 7 November 2018 be confirmed.**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

## **10. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

### **11. REPORTS OF COMMITTEES OF COUNCIL**

Audit Committee	Full Council
Recreation & Cultural Committee	Member – Shire President Deputy – Deputy President
Bushfire Advisory Committee	Member – Cr Freebairn Deputy – Cr Hotham
Chief Executive Officer Performance Review Committee	Member – Shire President Member – Deputy President Member – Cr Hodges

### **12. REPORTS OF COUNCIL DELEGATES ON EXTERNAL COMMITTEES**

Central Country Zone of WALGA	Delegate – Shire President Delegate – Deputy President Deputy – Cr Wood
Hotham-Dale Regional Road Sub-Group	Delegate – Shire President Deputy – Cr McBurney
Development Assessment Panel	Delegate – Cr Mulroney Delegate – Cr Freebairn  Deputy – Cr Hodges Deputy – Cr Wood
Pingelly Tourism Group	Delegate – Cr McBurney Deputy – Cr Freebairn
Regional Waste Group	Delegate – Cr Mulroney Deputy – Cr Wood
Shires of Pingelly and Wandering Joint Local Emergency Management Committee	Delegate – Shire President Deputy – Cr Hodges
Aged Care Planning Regional Sub-Group (BBP)	Delegate – Shire President Delegate – Cr Hotham Deputy – Cr Freebairn
Youth Focus Group	Delegate – Cr Walton-Hassell Delegate – Cr Hastings Deputy – Cr McBurney
Pingelly Somerset Alliance	Delegate – Shire President Deputy – Cr McBurney
Pingelly Early Years Network	Delegate – Cr Hastings
Pingelly Community Wellbeing Group	Delegate – Cr Walton-Hassell

### **13. REPORTS FROM COUNCILLORS**

#### **Cr William Mulroney (President)**

##### **Meetings attended October**

17<sup>th</sup> Corporate Discussion & Council Meeting

22<sup>nd</sup> Federal Constitution CRC

25<sup>th</sup> Signing of MOU with Pingelly Somerset Alliance

29<sup>th</sup> Meeting with Narrogin Child Care (REED) Re update on continuation of Child Care Services in Pingelly

31<sup>st</sup> Regional Road Group meeting Brookton

##### **Meetings attended November**

1<sup>ST</sup> PRACC Board Meeting, Tennis Club Rooms

2<sup>nd</sup> Fervor Function, PRACC building.

5<sup>th</sup> Councillors' Team Development Day, PRACC Building

7<sup>th</sup> Corporate Discussion and Special Council Meeting (Letting of Tender for Bowling Green surface)

12<sup>th</sup> Sean Conlan WACHS phone conference regarding the opening of the Pingelly Health centre

13<sup>th</sup> President and CEO's meeting.

15<sup>th</sup> Master of Ceremonies for the Opening of the Pingelly Health Centre

15<sup>th</sup> Pingelly Transport, Councillors and Executive Staff

#### **Cr David Freebairn (Deputy President)**

Nil

#### **Cr Evan Hodges**

Nil

#### **Cr Bryan Hotham**

##### **Meetings attended October**

9<sup>th</sup> Bushfire Meeting

#### **Cr Jackie McBurney**

Nil

#### **Cr Kacey Hastings**

Nil

#### **Cr Michelle Walton-Hassell**

Nil

#### **Cr Peter Wood**

Nil

***Note: Standing Orders Apply***

## **14 OFFICE OF THE CHIEF EXECUTIVE OFFICER**

### **14.1 Youth Support, Pingelly Swimming Pool**

**File Reference:** ADM0336  
**Location:** Shire of Pingelly  
**Applicant:** Chief Executive Officer  
**Author:** Chief Executive Officer  
**Date:** 14 November 2018  
**Disclosure of Interest:** Nil  
**Attachments:** Nil  
**Previous Reference:** Ordinary Council Meeting 13 December 2017

#### **Summary:**

To discuss the upcoming Christmas School holidays entry fees to the Pingelly Swimming Pool over the period of six weeks and the presentation of swimming passes to students at Pingelly Primary School end of year presentation night for the Strive program.

#### **Background:**

*Shire of Pingelly – Ordinary Meeting of Council Minutes – 13 December 2017*

#### *Council to discuss:*

- *Confirmation of dates for free entry to the Pingelly Swimming Pool*
- *Passes presented to the children under the Strike Program*

*12345 Moved: Cr Steel Seconded: Cr Hotham*

*That Wednesdays and Sundays are free entry days to the Pingelly Swimming Pool over the Christmas School Holiday period.*

*Carried 7:0*

#### **Comment:**

As part of the Shire of Pingelly's ongoing support for our youth, we provided free entry for all children during the Christmas school holidays of 2017/18 on Wednesdays and Sundays. This arrangement worked well and was embraced by the community in a positive manner. The Shire of Pingelly worked in collaboration with Pingelly Primary School on their STRIVE program, which saw the Shire provide pool passes for the six week Christmas school holiday period to two students per grade, selected for their outstanding behaviour throughout the year by teachers. This initiative was well received and supported by students, parents and the wider community. The Shire of Pingelly only waived fees for the in term swimming lessons that took place in term one of the school year for 2018.

#### **Consultation:**

Shire of Pingelly Councillors and Executive Team.

#### **Statutory Environment:**

N/A

#### **Policy Implications:**

Nil

#### **Financial Implications:**

Reduced income due to free entry for the periods mentioned in the report. It is expected this loss would be very minor due to the low entry fees charged.

#### **Strategic Implications:**

N/A



**Risk Implications:**

Risk	Low (1)
Risk Likelihood (based on history and with existing controls)	Low (1)
Risk Impact / Consequence	Low (1)
Risk Rating (Prior to Treatment or Control)	Low (1)
Principal Risk Theme	Low (1)
Risk Action Plan (Controls or Treatment Proposed)	Low (1)

Risk Matrix

Consequence Likelihood		Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 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 1 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.

**Voting Requirements:**

Simple Majority

**Recommendation:**

**That Council endorse;**

- the Chief Executive Officer to waive all entry fees to the Pingelly Swimming Pool on only Wednesdays and Sundays throughout the Christmas School Holiday period, Friday 14 December 2018 – Sunday 3 February 2019.
- the Chief Executive Officer providing 2 x Christmas Holiday Swimming Pool Passes (12 in total) for each school grade, Years 1-6 under the Pingelly Primary School STRIVE program.
- the Chief Executive Officer to waive the entry fee to the Pingelly Swimming Pool for only the Pingelly Primary School 2019 in term swimming lessons.

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

## **14.2 Chief Executive Officer Annual Leave and Appointment of Acting Chief Executive Officer**

**File Reference:** 00000 002  
**Location:** Shire of Pingelly  
**Applicant:** Gavin Pollock, Chief Executive Officer  
**Author:** Gavin Pollock, Chief Executive Officer  
**Date:** 14 November 2018  
**Disclosure of Interest:** Nil  
**Attachments:** Nil

### **Summary:**

Council to consider the Chief Executive Officer's request for annual leave from 14 December 2018 to 28 January 2019 and the appointment of Mr Stuart Billingham as Acting Chief Executive Officer for this period of leave.

### **Background:**

The Chief Executive Officer has discussed the appointment of an Acting Chief Executive Officer with Mr Stuart Billingham and the Executive Team. Mr Stuart Billingham has agreed to undertake the position of Acting Chief Executive Officer while the Chief Executive Officer is on annual leave.

### **Comment:**

A remuneration salary will be offered to Mr Stuart Billingham within the Band 4 reward package range prescribed by the Salaries and Allowances Tribunal under Section 7A of the Salaries and Allowances Act.

### **Consultation:**

Shire President - Cr Mulroney, Director Corporate Community Services – Stuart Billingham and Director Technical Services – Barry Gibbs.

### **Statutory Environment:**

Section 5.36 of the *Local Government Act 1995* provides that:

- (1) A local government is to employ —
  - (a) a person to be the CEO of the local government; and
  - (b) such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.
- (2) A person is not to be employed in the position of CEO unless the council —
  - (a) believes that the person is suitably qualified for the position; and
  - (b) is satisfied with the provisions of the proposed employment contract.
- (3) A person is not to be employed by a local government in any other position unless the CEO —
  - (a) Believes that the person is suitably qualified for the position; and
  - (b) is satisfied with the proposed arrangements relating to the person's employment.
- (4) Unless subsection (5A) applies, if the position of CEO of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement into contain such information with respect to the position as is prescribed.
- (5A) Subsection (4) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.
- (5) For the avoidance of doubt, subsection (4) does not impose requirement to advertise a position before the renewal of contract referred to in section 5.39.

Regulation 18 of the Local Government (Administration) Regulations provides that:

- (1) If a position of CEO, or of senior employee, of a local government becomes vacant, the local government is to advertise the position —
  - (a) on a notice board exhibited to the public at the local government’s offices, if the position is —
    - (i) to be filled on a part time basis by a person who is also employed by another local government; or
    - (ii) an acting position for a term not exceeding one year;
  - or
  - (b) otherwise, in a newspaper circulating generally throughout the State.
- (2) An advertisement referred to in sub regulation (1) is to contain —
  - (a) the details of the remuneration and benefits offered;
  - (b) details of the place where applications for the position are to be submitted;
  - (c) the date and time for the closing of applications for the position;
  - (d) the duration of the proposed contract;
  - (e) contact details for a person who can provide further information about the position; and
  - (f) any other information that the local government considers is relevant.

**Policy Implications:**

Nil

**Financial Implications:**

Nil effect on the 2018/19 budget as a provision for high duties has been allowed for in the budget process.

**Strategic Implications:**

The appointment of an Acting Chief Executive Officer will meet the requirements of the Local Government Act.

**Risk Implications:**

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

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		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 1 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.

**Voting Requirements:**

Majority.

**Recommendation:**

**That Council Endorse;**

- 1. The Chief Executive Officer's request for annual leave from 14 December 2018 to 28 January 2019 and the appointment of Mr Stuart Billingham as Acting Chief Executive Officer for this period of annual leave.**
- 2. The Chief Executive Officer offering Mr Stuart Billingham a remuneration salary for the period of stated annual leave within the Band 4 prescribed range of the Salaries and Allowances Tribunal under Section 7A of the Salaries and Allowances Tribunal under Section 7A of the Salaries and Allowances Act 1975.**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

## **15. DIRECTORATE OF CORPORATE AND COMMUNITY SERVICES**

### **15.1 Monthly Statement of Financial Activity – October 2018**

<b>File Reference:</b>	<b>ADM0075</b>
<b>Location:</b>	<b>N/A</b>
<b>Applicant:</b>	<b>Director Corporate &amp; Community Services</b>
<b>Author:</b>	<b>Director Corporate &amp; Community Services</b>
<b>Date:</b>	<b>02 November 2018</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments:</b>	<b>Monthly Statements of Financial Activity for the period 1 July 2018 to 31 October 2018 (Attachment 1 following red sheet in separate attachments booklet)</b>
<b>Previous Reference:</b>	<b>N/A</b>

#### **Summary:**

In Accordance with the *Local Government Act 1995* Section 5.25 (1) and *Local Government (Financial Management) Regulations 1996*, Monthly Financial Statements are required to be presented to Council, in order to ensure that income and expenditure is in keeping with budget forecasts.

The Monthly Statements of Financial Activity for the month of October 2018 is attached for Council consideration and adoption.

#### **Background:**

In order to prepare the monthly statements, the following reconciliations have been completed and verified:

- Reconciliation of assets, payroll and taxation services;
- Reconciliation of all shire's bank accounts, including term deposits;
- Reconciliation of Rates, including outstanding debtors;
- Reconciliation of Sundry Creditors and Debtors;

#### **Consultation:**

Chief Executive Officer.

#### **Statutory Environment:**

*Local Government Act 1995*;

*Local Government (Financial Management) Regulations 1996*

Section 34: Financial Reports to be Prepared

(1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail -

- (a) Annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1) (b) or (c);
- (b) Budget estimates to the end of the month to which the statement relates;
- (c) Actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- (d) Material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) The net current assets at the end of the month to which the statement relates.

- (2) Each statement of financial activity is to be accompanied by documents containing -
- (a) An explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
  - (b) An explanation of each of the material variances referred to in sub regulation (1) (d); and
  - (c) Such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown -
- (a) According to nature and type classification;
  - (b) By program; or
  - (c) By business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), is to be -
- (a) Presented to the council -
    - (i) At the next ordinary meeting of the council following the end of the month to which the statement relates; or
    - (ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting; and
  - (b) Recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.

**Policy Implications:**

There are no policy implications.

**Financial Implications:**

There are no significant trends or issues to be reported. The report and officer recommendation is consistent with Council's adopted Budget 2018/2019.

**Strategic Implications:**

There are no known significant strategic implications.

**Risk Implications:**

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

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		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 1 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.

**Voting Requirements:**

Simple Majority.

**Recommendation:**

**That with respect to the Monthly Statements of Financial Activity for the month ending 31 October 2018 be accepted and material variances be noted.**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

## **15.2 Accounts Paid by Authority – October 2018**

**File Reference:** ADM0066  
**Location:** Shire of Pingelly  
**Applicant:** Director Corporate & Community Services  
**Author:** Finance Officer  
**Date:** 02 November 2018  
**Disclosure of Interest:** Nil  
**Attachments:** List of Accounts  
(Attachment 2 following orange sheet in separate attachments booklet)  
**Previous Reference:** N/A

### **Summary:**

Council endorsement is required for accounts made by authority for the month of October 2018.

### **Comment:**

Unless otherwise identified, all payments have been made in accordance with Council's 2018/19 Budget.

### **Consultation:**

Nil

### **Statutory Environment:**

Regulation 12 of the *Local Government (Financial Management) Regulations* provides that:

- (1) A payment may only be made from the municipal fund or the trust fund —
  - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
  - (b) otherwise, if the payment is authorised in advance by a resolution of the council.
- (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

Regulation 13 of the *Local Government (Financial Management) Regulations* provides that:

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
  - (a) the payee's name;
  - (b) the amount of the payment;
  - (c) the date of the payment; and
  - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
  - (a) for each account which requires council authorisation in that month —
    - (i) the payee's name;
    - (ii) the amount of the payment; and
    - (iii) sufficient information to identify the transaction; and
  - (b) the date of the meeting of the Council to which the list is to be presented.
- (3) A list prepared under sub regulation (1) or (2) is to be —
  - (a) presented to the Council at the next ordinary meeting of the council after the list is prepared; and
  - (b) recorded in the minutes of that meeting.



**Policy Implications:**

There are no policy implications arising from this amendment.

**Financial Implications:**

There are no known financial implications upon either the Council’s current budget or long term financial plan.

**Strategic Implications:**

There are no known significant strategic implications relating to the report.

**Risk Implications:**

Risk	Low (1)
Risk Likelihood (based on history and with existing controls)	Low (1)
Risk Impact / Consequence	Low (1)
Risk Rating (Prior to Treatment or Control)	Low (1)
Principal Risk Theme	Low (1)
Risk Action Plan (Controls or Treatment Proposed)	Low (1)

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		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 1 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.

**Voting Requirements:**

Simple Majority.

**Recommendation:**

**That Council endorse the Accounts for Payments for October 2018 as presented:**

<b>October 2018</b>	
<b>MUNI - 117984856</b>	
EFT 5369 – 5451	\$410,318.06
CHEQUE 24603 – 24615	\$26,437.50
<b>TRUST ACCOUNTS</b>	
DEPT OF TRANSPORT – DD10100.1– DD10169.1	\$40,743.60
TRUST FUND – 1935-1937	\$700.00
<b>DIRECT DEBIT -</b>	
DD10073.1 – DD10142.8 & EFT 5366 - 5450 – Pay and Super	\$30,564.76
<b>CREDIT CARD</b>	
DD10160.1	\$353.24
<b>GRAND TOTAL</b>	<b>\$509,117.16</b>

<b>Notification</b>	<b>Explanation</b>
Nil	

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

## **16. DIRECTORATE OF TECHNICAL SERVICES**

### **16.1 Request to Endorse Section 70A Notification**

**File Reference:** A4073  
**Location:** Lot 75 – 2972 Wickepin-Pingelly Road, West Pingelly  
**Applicant:** Lane Buck & Higgins  
**Author:** Administration Officer Technical  
**Date:** 24 October 2018  
**Disclosure of Interest:** Nil  
**Attachments:** 1 – Section 70A Notification Forms  
2 – Subdivision Approval  
(Attachment 3 following blue sheet in separate attachments booklet)  
**Previous Reference:** Agenda Item 16.4 Ordinary Meeting of Council on 20 September 2017

#### **Summary:**

A request has been received from Lane, Buck & Higgins on behalf of Beauland Management Pty Ltd, for Council to endorse 2 Section 70A Notification forms to satisfy conditions 1 & 2 of the WAPC's Subdivision Approval No. 155577.

To execute the document, the Council seal and signatures of the Shire President and Chief Executive Officer are required.

A resolution of Council is required to execute the document and affix the seal in accordance with section 9.49A of the *Local Government Act 1995*.

#### **Background:**

The Western Australian Planning Commission granted approval to subdivide Lot 75 – 2972 Wickepin-Pingelly Road, East Pingelly into two (2) Lots on 17 August 2018.

Condition 1 of the approval requires:

A Notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate of title of the proposed Lot B. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

*'A network electricity supply is not available to the lot.'*

Condition 2 of the approval requires:

A Notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate of title of the proposed Lots. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

*'A mains potable water supply is not available to the lots.'*

To satisfy the conditions of approval, completed Section 70A Notification forms have been submitted to the Shire for completion. Refer to Attachment 1.

#### **Comment:**

All conditions of approval have been satisfied and clearance of conditions has been issued.

**Consultation:**

Jacky Jurmann, Consultant Planner.

**Statutory Environment:**

Local Government Act 1985

9.49A. Execution of documents

- (1) *A document is duly executed by a local government if —*
  - (a) *the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or*
  - (b) *it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*
- (2) *The common seal of a local government is not to be affixed to any document except as authorised by the local government.*
- (3) *The common seal of the local government is to be affixed to a document in the presence of —*
  - (a) *the mayor or president; and*
  - (b) *the chief executive officer or a senior employee authorised by the chief executive officer, each of whom is to sign the document to attest that the common seal was so affixed.*
- (4) *A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*
- (5) *A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.*
- (6) *A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.*
- (7) *When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.*

**Policy Implications:**

**C32: Common Seal**

Delegated to the Chief Executive Officer the authority to affix Common Seal (witnessed by President and Chief Executive Officer) to documents to be executed by the Shire of Pingelly where such documents are consistent and in accord with resolutions of Council or subject to Council being notified of executed documents in a timely manner.

**Objective:** To expedite the approval process.

**Reference:** *Local Government Act 1995* sections 5.42, 9.49A(2) & 9.49A(4).

Adopted Date: 20 June 2018

Reviewed / Amended Date: 20 June 2018

**Financial Implications:**

There are no known financial implications.

**Strategic Implications:**

There are no known strategic implications.

**Risk Implications:**

Risk	Low (2)
Risk Likelihood (based on history and with existing controls)	Low (2)
Risk Impact / Consequence	Low (2)
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Low (2)
Risk Action Plan (Controls or Treatment Proposed)	Low (1)

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		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 1 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.

**Voting Requirements:**

Absolute Majority.

**Recommendation:**

**That Council authorise the Shire President and the Chief Executive Office to affix the Common Seal of the Shire of Pingelly and execute the Section 70A Notification form (attached to this Report) in accordance with condition 4 of the WAPC Subdivision Approval (No.155577) in accordance with section 9.49A of the *Local Government Act 1985*.**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

## **16.2 Ranger Authorisation**

<b>File Reference:</b>	<b>ADM0306</b>
<b>Location:</b>	<b>Shire of Pingelly</b>
<b>Applicant:</b>	<b>Mr Matthew Sharpe, WA Contract Ranger Services</b>
<b>Author:</b>	<b>Administration Officer Technical</b>
<b>Date:</b>	<b>1 November 2018</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments:</b>	<b>Nil</b>
<b>Previous Reference:</b>	<b>N/A</b>

### **Summary:**

Council to endorse the appointment of Mr Morné Warren Pfister of WA Contract Ranger Services to be authorised to act under the following legislation on behalf of the Shire of Pingelly.

### **Background:**

Local Government is bound to enforce certain legislation and as a result is required that officers be authorised to undertake various roles and responsibilities in relation to the legislation. As existing officers roles change and new officers are employed, it is essential that these officers are properly authorised under the appropriate legislation to undertake their duties.

### **Comment:**

Mr Pfister has been employed by WA Contract Ranger Services to provide support for Shire of Pingelly Ranger Mr Matthew Sharpe who has been conducting ranger services on behalf of the Shire of Pingelly since January 2014.

Mr Pfister has previously worked for the City of Wanneroo, Justice and Community Safety Directorate, ACT Government Territory and Municipal Services Directorate and possesses all the training and skills to perform the role as a Ranger.

Providing delegations to Mr Pfister will enable Mr Sharpe to carry out his role under the relevant legislation on behalf of the Shire of Pingelly. Council will need to appoint Mr Pfister to enforce the following legislation:

- Dog Act 1976
- Cat Act 2011
- Bush Fire Act 1954
- Litter Act 1979
- Caravan and Camping Act 1995
- Control of Vehicles (Off Road Areas) Act 1978
- Local Government Act 1995
- Local Government (Miscellaneous Provisions) Act 1960
- Animal Welfare Act 2002

### **Consultation:**

Gavin Pollock – Chief Executive Officer  
Barry Gibbs – Director Technical Services  
Matthew Sharpe – WA Contract Ranger Services

**Statutory Environment:**

Dog Act 1976  
 Cat Act 2011  
 Bush Fire Act 1954  
 Litter Act 1979  
 Caravan and Camping Act 1995  
 Control of Vehicles (Off Road Areas) Act 1978  
 Local Government Act 1995  
 Local Government (Miscellaneous Provisions) Act 1960  
 Animal Welfare Act 2002

**Policy Implications:**

No known policy implications.

**Financial Implications:**

Cost of service provision – 2018/19 budget

**Strategic Implications:**

Shire of Pingelly Workforce Plan

**Risk Implications:**

Risk	Low (3)
Risk Likelihood (based on history and with existing controls)	Low (3)
Risk Impact / Consequence	Low (3)
Risk Rating (Prior to Treatment or Control)	Low (3)
Principal Risk Theme	Low (3)
Risk Action Plan (Controls or Treatment Proposed)	Low (2)

Risk Matrix

Consequence Likelihood		Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 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 1 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.

**Voting Requirements:**

Simple Majority

**Recommendation:**

**That:**

**Council endorse the appointment of Mr Morné Warren Pfister as an Authorised Officer for the Shire of Pingelly pursuant to the following Acts:**

- **Dog Act 1976**
- **Cat Act 2011**
- **Bush Fire Act 1954**
- **Litter Act 1979**
- **Caravan and Camping Act 1995**
- **Control of Vehicles (Off Road Areas) Act 1978**
- **Local Government Act 1995**
- **Local Government (Miscellaneous Provisions) Act 1960**
- **Animal Welfare Act 2002**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_



### **16.3 Withdraw Ranger Authorisation**

**File Reference:** ADM0306  
**Location:** Shire of Pingelly  
**Applicant:** Shire of Pingelly  
**Author:** Administration Officer Technical  
**Date:** 1 November 2018  
**Disclosure of Interest:** Nil  
**Attachments:** Nil  
**Previous Reference:** Ranger Authorisation, 18 July 2018 Ordinary Meeting of Council

**Summary:**

Council to withdraw all delegations to act as an authorised officer from Mr Brian Gaudet from WA Contract Ranger Services.

**Background:**

Mr Brain Gaudet was endorsed by Council as an authorised officer while employed by WA Contract Ranger Services.

**Recommendation and Council Decision**

**12477 Moved: Cr Wood Seconded: Cr Hodges**

**That:**

**Council endorse the appointment of Mr Brian Gaudet as an Authorised Officer for the Shire of Pingelly pursuant to the following Acts:**

- **Dog Act 1976**
- **Cat Act 2011**
- **Bush Fire Act 1954**
- **Litter Act 1979**
- **Caravan and Camping Act 1995**
- **Control of Vehicles (Off Road Areas) Act 1978**
- **Local Government Act 1995**
- **Local Government (Miscellaneous Provisions) Act 1960**
- **Animal Welfare Act 2002**

Carried 7:0

**Comment:**

Mr Gaudet no longer works for or is employed by WA Contract Ranger Services.

**Consultation:**

WA Contract Ranger Services  
Director Technical Services

**Statutory Environment:**

Section 39 of the Local Government Act 1995.

**Policy Implications:**

No known policy implications.

**Financial Implications:**

No known financial implications.

**Strategic Implications:**

No known strategic implications.

**Risk Implications:**

Risk	Low (2)
Risk Likelihood (based on history and with existing controls)	Low (2)
Risk Impact / Consequence	Low (2)
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Low (2)
Risk Action Plan (Controls or Treatment Proposed)	Low (1)

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		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 1 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.

**Voting Requirements:**

Simple Majority

**Recommendation:**

**That Council:**

**Endorse Mr Brain Gaudet being withdrawn as an Authorised Officer for the Shire of Pingelly relating to the following Acts:**

- Dog Act 1976
- Cat Act 2011
- Bush Fire Act 1954
- Litter Act 1979
- Caravan and Camping Act 1995
- Control of Vehicles (Off Road Areas) Act 1978
- Local Government Act 1995
- Local Government (Miscellaneous Provisions) Act 1960
- Animal Welfare Act 2002

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

**16.4 Bush Fire Advisory Committee Minutes**

**File Reference:** ADM0057  
**Location:** Shire of Pingelly  
**Applicant:** Chief Bush Fire Control Officer  
**Author:** Administration Officer Technical  
**Date:** 1 November 2018  
**Disclosure of Interest:** Nil  
**Attachments:** Bush Fire Advisory Committee Minutes 9 October 2018.  
 (Attachment 4 following green sheet in separate attachments booklet)

**Summary:**

Council is requested to adopt the recommendations from the Bush Fire Advisory Committee Meeting held on 9 October 2018.

**Background:**

A meeting of the Bush Fire Advisory Committee was held on Tuesday 9 October 2018 in the Council Chambers.

**Comment:**

The purpose of the meeting was to discuss the up and coming bush fire season and to go over any issues that may need to be dealt with.

There was one motion passed at the meeting which is as follows:

**Recommendation:**

That the Pingelly Rifle Range programmed control burn to be deferred to Autumn due to the increase fire risk to the community if burnt in Spring.

**11348 – Moved Peter Narducci, Seconded David Freebairn**

**That the Pingelly Rifle Range programmed control burn to be deferred to Autumn due to the increase fire risk to the community if burnt in Spring.**

**CARRIED 11 / 0**

**Consultation:**

Chief Bush Fire Control Officer Rodney Shaddick

**Financial Implications:**

No known financial implications.

**Strategic Implications:**

No known strategic implications.

**Risk Implications:**

Risk	Low (3)
Risk Likelihood (based on history and with existing controls)	Low (3)
Risk Impact / Consequence	Low (3)
Risk Rating (Prior to Treatment or Control)	Low (3)
Principal Risk Theme	Low (3)
Risk Action Plan (Controls or Treatment Proposed)	Low (1)

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		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 1 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.

**Voting Requirements:**

Simple Majority

**Recommendation:**

**That Council**

1. receive the Minutes of the Bushfire Advisory Committee Meeting of the Shire of Pingelly held in the Council Chambers on 9 October 2018;
2. endorse Bushfire Advisory Committee recommendation that the Pingelly Rifle Range programmed control burn to be deferred to autumn due to the increase fire risk to the community if burnt in spring.

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

## **16.5 Proposed Lot Amalgamation**

**File Reference:** A20383  
**Location:** Lot 65 & 66 – 24 Park Street, Pingelly  
**Applicant:** Western Australian Planning Commission  
**Author:** Administration Officer Technical  
**Date:** 1 November 2018  
**Disclosure of Interest:** Nil  
**Attachments:** Nil  
**Previous Reference:** Nil

### **Summary:**

Council to consider an application for a proposed lot amalgamation of Lot 65 & Lot 66 Park Street, Pingelly.

### **Background:**

WAPC have received an application for a lot amalgamation of Lot 65 & Lot 66 Park Street, Pingelly from Horizon Surveys on behalf of the owner and are requesting any information, comment or recommended conditions pertinent to the application by the 28 November 2018.

### **Comment:**

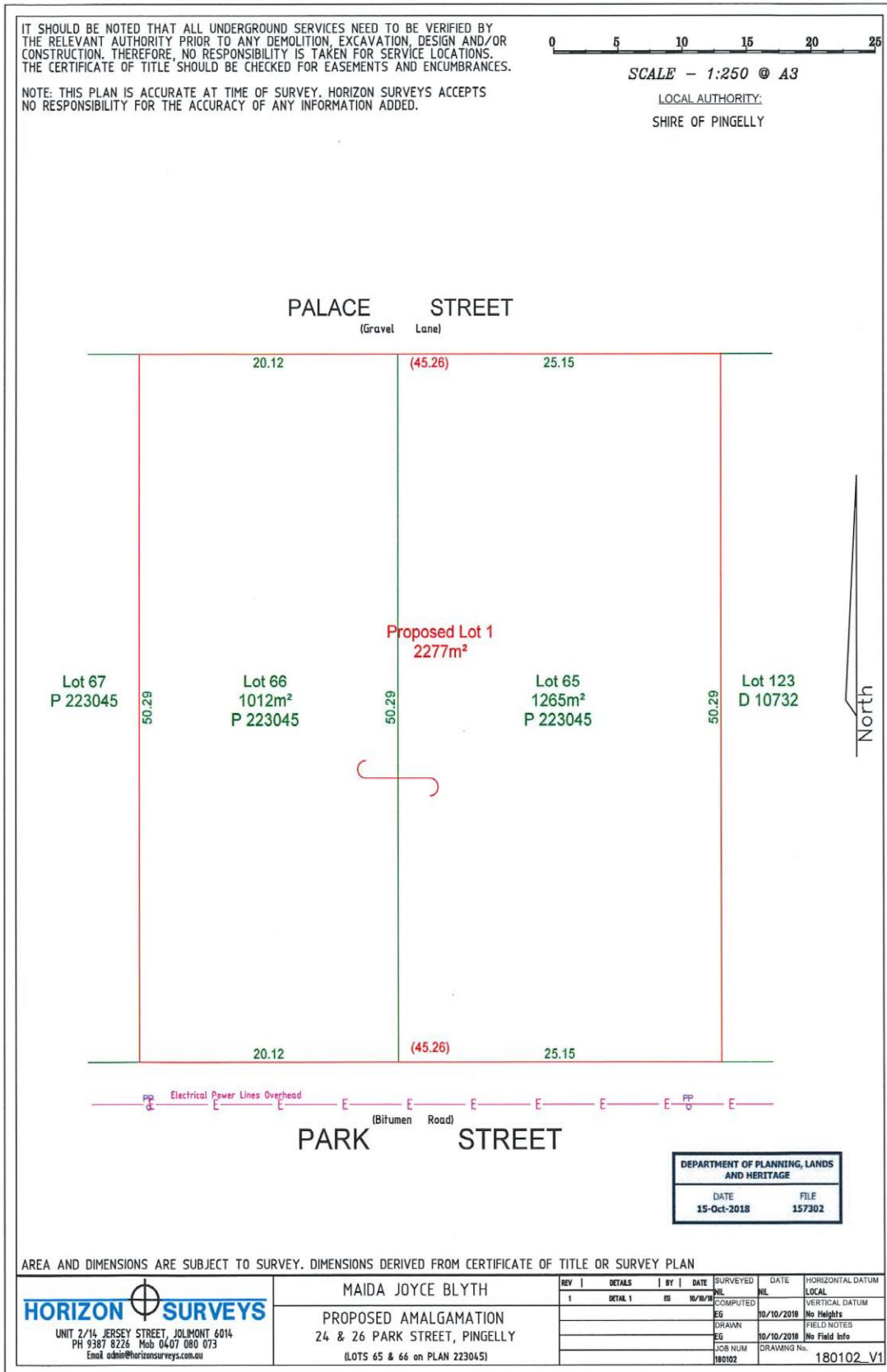
The applicant has applied to the WAPC for planning approval for the lot amalgamation of Lots 65 & 66. The lots are zoned residential, and outbuildings on the lots are located across the boundary between the two lots.

As a general rule no building shall be constructed within a distance of 7.5m from the front boundary. Minimum side boundaries are set by the *Residential Design Codes* however generally no building shall be erected within 1.5m of any other lot boundary. These setbacks may be reduced by a decision of Council on written application.

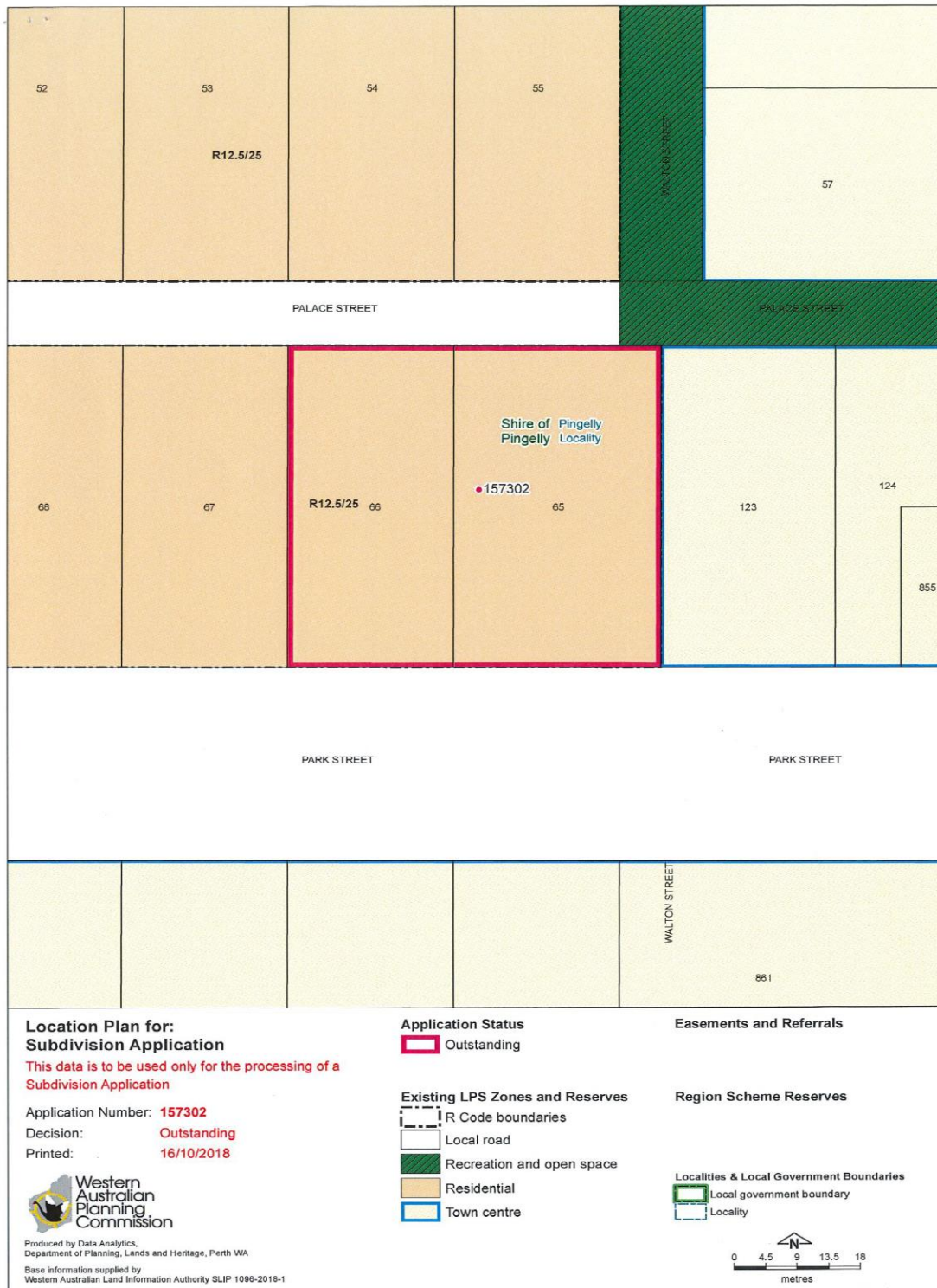
The existing dwelling and structures will be retained.

The area of lot 65 is 1012m<sup>2</sup> and Lot 66 is 1012m<sup>2</sup> which will create a total lot area of 2024m<sup>2</sup>.









**Consultation:**

Jacky Jurmann - Consultant Planner  
Tim Jurmann – Building Surveyor  
Western Australian Planning Commission

**Statutory Environment:**

Shire of Pingelly Local Planning Scheme No.3.

## **Policy Implications:** **13.2 Outbuildings**

### **Objective:**

This policy provides direction and guidance on the area and height of outbuildings and the like that Council will permit within the Shire boundaries.

Outbuildings and structures that comply with the following requirements may be approved by Council's Building Surveyor without having the need to be submitted to an Ordinary Meeting of Council.

### **Policy Intention**

- To provide some flexibility in the requirements for outbuildings and the like in residential areas.
- To ensure that the provisions of the current *Residential Design Codes* are appropriately addressed.
- To improve customer service standards through the timely processing of planning and building applications for outbuildings.

### **Policy**

#### **Definitions:**

- **Outbuilding** is an enclosed non-habitable structure that is required to meet the standards of the Building Code of Australia and is detached from any dwelling.
- **Carport** is a roofed structure designed to accommodate one or more motor vehicles unenclosed except to the extent that it abuts a dwelling or a property boundary on one side and being without a door.
- **Garage** is any enclosed and roofed structure, other than a carport, designed to accommodate one or more motor vehicles.
- **Patio** is a roofed shade structure either attached to a dwelling or free standing is required to be open on fifty percent of its sides.
- **Pergola** is a light weight shade structure that does not have a solid roof. It may be attached to a dwelling or can be free standing.
- **Statutory Powers:** This policy has been prepared in conjunction with the requirements of the *Residential Design Codes of Western Australia*, i.e. The performance criteria relative to outbuildings (Clause 5.4.3) states:  
“*Outbuildings that do not detract from the streetscape or the visual amenity of the residents or neighbouring properties.*”

Buildings are to comply with any local planning policy made under the Scheme in respect of the design of carports and garages, including the colour, scale, materials and roof pitch of buildings. This policy provides design requirements for carports and garages, however it does not interfere with any other requirement of the Residential Design Codes relating to carports and garages.

This policy does not alter or change in any way the acceptable development criteria of the *Residential Design Codes currently in force*.

Within all “Residential” and “Rural Residential” zoned areas of the Shire and on Farming zoned lots with an area of 2ha or less except as otherwise stated, planning consent for all outbuildings is required. If planning consent is granted, building approval will be issued for outbuildings which are appurtenant to a dwelling, provided all boundary setbacks and building separation requirements have been complied with, the building is of single storey construction, located behind any residence on-site and provided the proposed development complies with the following:



1. In any residential zone with an R10 code or above in the Shire:
  - a. Non-masonry construction, where the total non-masonry outbuilding area does not exceed 60m<sup>2</sup> and the total outbuilding area does not exceed 75m<sup>2</sup>;
  - b. Masonry or other approved construction, where the total outbuilding area has walls constructed of the same materials and appearance as the house and does not exceed 75m<sup>2</sup> and no parapet wall is greater in length than 8m;
  - c. Wall height of any outbuildings not to exceed 3m. This height limitation also applies to parapet walls. In the case of gable roof construction, the maximum building height is not to exceed 4.2m;
  - d. Prior to considering a parapet wall construction over 8m in length, the applicant will present Council with written agreement to the same by any affected adjoining landowner;
  - e. No planning consent or building licence approval will be granted or issued for any outbuildings, on any Residential zoned lot, which does not contain a residence;
  - f. The applicant providing the Shire with a written undertaking that the outbuilding constructed, will only be used for the purpose permitted within the zone in which it is located, under the provisions of the Shire's operative Local Planning Scheme;
  - g. Any development application which does not comply with the above, shall be referred to Council for consideration.
  
2. In any residential zone with an R code below R10, the rural residential zone of the Shire and on farming zoned lots which have an area of 2ha or less
  - a. Non-masonry zincalume construction, where the total zincalume outbuilding area does not exceed 75m<sup>2</sup> and the total outbuilding area does not exceed 200m<sup>2</sup>, or
  - b. Non-masonry colorbond construction, where the total colorbond outbuilding area does not exceed 150m<sup>2</sup> and the total outbuilding area does not exceed <sup>2</sup>
  - c. Masonry or other approved construction, where the total outbuilding area has walls constructed of the same materials and appearance as the house and does not exceed 200m<sup>2</sup>,
  - d. Wall height of any outbuilding not to exceed 4m. In the case of a gable roof construction, the maximum building height is not to exceed 5m;
  - e. No planning consent or building licence approval will be granted or issued, for any outbuildings on a residential or rural residential zoned lot where a building licence has not been issued for a residence and / or where an outbuilding is not located at least 4m from any boundary of the lot;
  - f. The applicant providing the Shire with a written undertaking that the outbuilding constructed, will only be used for purposes permitted within the zone in which it is located under the provisions of the Shire's operative Local Planning Scheme;
  - g. Any development application which does not comply with the above shall be referred to Council for consideration.
  
3. Distance from boundaries on any residential zoned lot with an R code of 10 or above:
  - a. Garages, shed, pergolas and patios - brick construction
    - i. Attached to house - 1m from side boundaries. Eaves not closer than 750mm measured from the outer edge of the gutter.
    - ii. Detached from house - Must be 1.8m clear of house with either parapet wall on boundary or walls 1m from boundary with eaves 750mm clear of boundary.
  
  - b. Garages, sheds, pergolas, and patios - steel framed construction - Detached from house only - Must be at the rear of the residence 1.8m clear of the residence, leach drains and septic tanks and 1.2m clear of side and rear boundaries.

- c. Carports - Columns of brick (350mm x 350mm) or steel may be erected on a boundary provided no more than 4 columns are used and roofing including guttering is at least 750mm clear of the boundary. Beams must be of steel within 750mm of a boundary and a dividing fence forming a side wall of the carport must not be higher than 1.8m. Timber framed carports must be sited 1.2m clear of boundaries.
  - d. On corner lots - Where an outbuilding is constructed in brick or clad in colorbond, Council will permit a setback of 3.75m to the minor street. Where an outbuilding is clad in zincalume a setback of 7.5m to the minor street will apply.
4. Distance from boundaries in any residential zone with an R code below R10 and the rural residential zone of the Shire and on farming zoned lots which have an area of 2 hectares or less
- a. Detached outbuildings - To be at the rear or the residence on-site, at least 1.8m clear of the residence, leach drains and septic tanks. All boundary setbacks to be as laid down in the Shire of Pingelly’s operative Local Planning Scheme.
  - b. On corner lots - The setback to the minor street to be the same as the frontage setback laid down in the Shire of Pingelly’s operative Local Planning Scheme.
  - c. Garden sheds - Under this policy, Council will without the need for planning consent or building permit approval, permit the erection of one only garden shed per lot which has a maximum area of up to 10m<sup>2</sup>. The garden shed is to be located on the lot in a position and in a manner agreed to in writing by the Shire’s Building Surveyor and such shed is in addition to any other shed permitted under this “Policy”.

**Financial Implications:**

No known financial implications.

**Strategic Implications:**

No known strategic implications.

**Risk Implications:**

Risk	Low (3)
Risk Likelihood (based on history and with existing controls)	Low (3)
Risk Impact / Consequence	Low (3)
Risk Rating (Prior to Treatment or Control)	Low (3)
Principal Risk Theme	Low (3)
Risk Action Plan (Controls or Treatment Proposed)	Low (1)

Risk Matrix

Consequence Likelihood		Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 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 1 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.

**Voting Requirements:**

Simple majority.

**Recommendation:**

**That the WAPC be advised that the Shire of Pingelly does not object to the proposed amalgamation of Lot 65 and Lot 66 Park Street.**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

## **16.6 Surplus Equipment Tender**

**File Reference:** ADM0570  
**Location:** Lot 201 – 16 Somerset Street and Reserve 5004 – 21 Park Street  
**Applicant:** Barry Gibbs, Director Technical Service  
**Author:** Barry Gibbs, Director Technical Services  
**Date:** 14 November 2018  
**Disclosure of Interest:** Nil  
**Attachments:** List of Assets for Sale  
(Attachment 5 following yellow sheet in separate attachments booklet)

### **Summary:**

Council to approve the sale and disposal of surplus items through a notice of expression of interest.

### **Background:**

The Shire had accumulated an assortment of surplus items from the old Medical Centre and construction of the new Pingelly Recreation and Culture Centre.

### **Comment:**

Any items not sold will be assessed for either readvertising for sale, sold as scrap or disposal at the Pingelly Refuse site.

### **Consultation:**

Chief Executive Officer – Gavin Pollock  
Director Community and Corporate Services - Stuart Billingham

### **Statutory Environment:**

***Local Government Act 1995 - 3.58. Disposing of property***

***Local Government (Functions & General) Regulations 1996 Reg 30***

### ***30. Dispositions of property excluded from Act s. 3.58***

- (1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.***
- (2) A disposition of land is an exempt disposition if —***
  - (a) the land is disposed of to an owner of adjoining land (in this paragraph called the transferee) and —***
    - (i) its market value is less than \$5 000; and***
    - (ii) the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;***
  - or***
  - (b) the land is disposed of to a body, whether incorporated or not —***
    - (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and***
    - (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;***
  - or***

- (c) *the land is disposed of to —*
    - (i) *the Crown in right of the State or the Commonwealth; or*
    - (ii) *a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or*
    - (iii) *another local government or a regional local government;*

*or*
  - (d) *it is the leasing of land to an employee of the local government for use as the employee’s residence; or*
  - (e) *it is the leasing of land for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land; or*
  - (f) *it is the leasing of land to a person registered under the Health Practitioner Regulation National Law (Western Australia) in the medical profession to be used for carrying on his or her medical practice; or*
  - (g) *it is the leasing of residential property to a person.*
- (2a) *A disposition of property is an exempt disposition if the property is disposed of within 6 months after it has been —*
- (a) *put out to the highest bidder at public auction, in accordance with section 3.58(2)(a) of the Act, but either no bid is made or any bid made does not reach a reserve price fixed by the local government; or*
  - (b) *the subject of a public tender process called by the local government, in accordance with section 3.58(2)(b) of the Act, but either no tender is received or any tender received is unacceptable; or*
  - (c) *the subject of Statewide public notice under section 3.59(4) of the Act, and if the business plan referred to in that notice described the property concerned and gave details of the proposed disposition including —*
    - (i) *the names of all other parties concerned; and*
    - (ii) *the consideration to be received by the local government for the disposition; and*
    - (iii) *the market value of the disposition as ascertained by a valuation carried out not more than 12 months before the proposed disposition.*
- (2b) *Details (see section 3.58(4) of the Act) of a disposition of property under subregulation (2a) must be made available for public inspection for at least 12 months from the initial auction or tender, as the case requires.*
- (3) *A disposition of property other than land is an exempt disposition if —*
- (a) *its market value is less than \$20 000; or*
  - (b) *the entire consideration received by the local government for the disposition is used to purchase other property, and where the total consideration for the other property is not more, or worth more, than \$75 000.*

*[Regulation 30 amended in Gazette 25 Feb 2000 p. 974-5; 28 Apr 2000 p. 2041; 31 Mar 2005 p. 1055-6; 27 Sep 2011 p. 3846; 18 Sep 2015 p. 3812.]*

**Policy Implications:**

Nil

**Financial Implications:**

Income from the sale of surplus plant and equipment will be placed in the General Ledger Account 1476 – Sale of Sundry Items.

**Strategic Implications:**

Nil

**Risk Implications:**

Risk	Low (3)
Risk Likelihood (based on history and with existing controls)	Low (3)
Risk Impact / Consequence	Low (3)
Risk Rating (Prior to Treatment or Control)	Low (3)
Principal Risk Theme	Low (3)
Risk Action Plan (Controls or Treatment Proposed)	Low (2)

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		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 1 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.

**Voting Requirements:**

Absolute Majority

**Recommendation:**

**Council to endorse the sale of surplus items by expression of interest from the old Medical Centre and Pingelly Recreation and Cultural Centre as listed in attached papers.**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

**17. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Council at its 17 October 2018 Ordinary Council Meeting resolved

**12546 Cr McBurney Seconded Cr Hastings**

**To introduce new business - Notice of Motion to Revoke Demolition Order on 18 Eliot Street, Pingelly.**

Carried 7:0

**12547 Moved: Cr Freebairn Seconded: Cr Hodges Third Councillor: Cr Walton-Hassell**  
Motion to Revoke Demolition Order on 18 Eliot Street Pingelly to be presented at the Ordinary Meeting of Council in November 2018.

**Council Recommendation:**

**That as per section 5.23(2) of the *Local Government Act 1995* the meeting be closed to members of the public to allow Council to discuss a confidential matter relating to a rescission of a motion.**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

**17.1 Notice of Motion – Rescission Motion Demolition order 18 Eliot St**

**File Reference: A2660**  
**Location: Shire of Pingelly**  
**Applicant: Stuart Billingham, Director Corporate & Community Services**  
**Author: Stuart Billingham, Director Corporate & Community Services**  
**Date: 02 November 2018**  
**Disclosure of Interest: Nil**  
**Attachments: Letter from Mr Keith Burgham**

See confidential item 17.1 under a separate cover.

**18. NEW BUSINESS OR URGENT BUSINESS INTRODUCED BY DECISION OF THE 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).

**19. CLOSURE OF MEETING**

The Chairman to declare the meeting closed.