



Shire of Northam
Heritage, Commerce and Lifestyle

Shire of Northam

Agenda

Special Council Meeting

27 April 2022



NOTICE PAPER
Special Council Meeting
27 April 2022

President and Councillors

I inform you that a Special Council meeting will be held by electronic means on 27 April 2022 at 5:30pm.

Yours faithfully



Jason Whiteaker
Chief Executive Officer

DISCLAIMER

This agenda has yet to be dealt with by the Council. The Recommendations shown at the foot of each item have yet to be considered by the Council and are not to be interpreted as being the position of the Council. The minutes of the meeting held to discuss this agenda should be read to ascertain the decision of the Council.

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The Shire of Northam advises that anyone who has any application lodged with the Shire of Northam must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Northam in respect of the application.

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1. DECLARATION OF OPENING

2. ACKNOWLEDGEMENT TO COUNTRY

The Shire of Northam would like to acknowledge the Traditional Owners of the land on which we meet, the Ballardong and Whadjuk people of the Nyoongar nation and pay our respects to Elders, past present and emerging.

3. ATTENDANCE

Council:

Shire President

Deputy Shire President

Councillors

C R Antonio

M P Ryan

D Galloway

R W Tinetti

A J Mencshelyi

M I Girak

J E G Williams

D A Hughes

H Appleton

P Curtis

Staff:

Chief Executive Officer

Executive Manager Engineering Services

Executive Manager Development Services

Executive Manager Community Services

Executive Manager Corporate Services

Executive Assistant – CEO

J B Whiteaker

S Patterson

C B Hunt

J Metcalf

C Young

A C McCall

3.1 APOLOGIES

Nil.

3.2 APPROVED LEAVE OF ABSENCE

Nil.

3.3 ABSENT

Nil.

4. DISCLOSURE OF INTERESTS

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

As defined in section 5.60A of the Local Government Act 1995, a **financial interest** occurs where a Councillor / Committee Member, or a person with whom the Councillor / Committee Member is closely associated, has a direct or indirect financial interest in the matter. That is, the person stands to make a financial gain or loss from the decision, either now or at some time in the future.

As defined in section 5.61 of the Local Government Act 1995, an **indirect financial interest** includes a reference to a financial relationship between that person and another person who requires a Local Government decision in relation to the matter.

As defined in section 5.60B of the Local Government Act 1995, a person has a **proximity interest** in a matter if the matter concerns a proposed change to a planning scheme affecting land that adjoins the person's land; or a proposed change to the zoning or use of land that adjoins the person's land; or a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.

As defined in 34C of the Local Government (Administration) Regulations 1996, an **impartiality interest** means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

Item Name	Item No.	Name	Type of Interest	Nature of Interest

5. ANNOUNCEMENT BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Nil.

6. PUBLIC QUESTION TIME

6.1 PUBLIC QUESTIONS

Nil.

7. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

8. RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS

8.1 PETITIONS

Local Government Act 1995 s6.10

Shire of Northam Standing Orders Amendment Local Law 2018

(1) A petition is to –

(a) be addressed to the President;

(b) be made by electors of the district;

(c) state the request on each page of the petition;

(d) contain the name, address and signature of each elector making the request, and the date each elector signed;

(e) contain a summary of the reasons for the request; and Page 13

(f) state the name of the person to whom, and an address at which, notice to the petitioners can be given.

(2) Upon receiving a petition, the Local Government is to submit the petition to the relevant officer to be included in his or her deliberations and report on the matter that is the subject of the petition, subject to subclause(3).

(3) At any meeting, the Council is not to vote on any matter that is the subject of a petition presented to that meeting, unless:

(a) the matter is the subject of a report included in the agenda; and

(b) the Council has considered the issues raised in the petition.

8.2 PRESENTATIONS

Local Government Act 1995 s6.11

Shire of Northam Standing Orders Amendment Local Law 2018

(1) In this clause, a "presentation" means the acceptance of a gift or an award by the Council on behalf of the Local Government or the community.

(2) A presentation may be made to the Council at a meeting only with the prior approval of the CEO.

8.3 DEPUTATIONS

Local Government Act 1995 s6.9

Shire of Northam Standing Orders Amendment Local Law 2018

- (1) Any person or group wishing to be received as a deputation by the Council is to either-
- (a) apply, before the meeting, to the CEO for approval; or
 - (b) with the approval of the Presiding Member, at the meeting, address the Council.
- (2) The CEO may either-
- (a) approve the request and invite the deputation to attend a meeting of the Council; or
 - (b) refer the request to the Council to decide by simple majority whether or not to receive the deputation.
- (3) Any matter which is the subject of a deputation to the Council is not to be decided by the Council until the deputation has completed its presentation.

9. APPLICATION FOR LEAVE OF ABSENCE

Nil.

10. CONFIRMATION OF MINUTES

Nil.

11. ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY

Nil.

12. REPORTS OF COMMITTEE MEETINGS

Nil.

13. MATTERS BEHIND CLOSED DOORS

RECOMMENDATION

That Council, in accordance with section 11.1(i) of the Shire of Northam Standing Orders Local Law 2018 and Section 5.23 (2) of the Local Government Act 1995, meet behind closed doors to consider agenda items –

1. RFQ 3 of 2022 – Spencer Brook Road as the item relates to a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.
2. Major Event Proposal Northam as the item relates to a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting

13.1 RFQ 03 of 2022 Spencers Brook Road

13.2 Major Event Proposal - Northam

RECOMMENDATION

That Council move out from behind closed doors.

14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

15. URGENT BUSINESS APPROVED BY DECISION

Nil.

16. DECLARATION OF CLOSURE