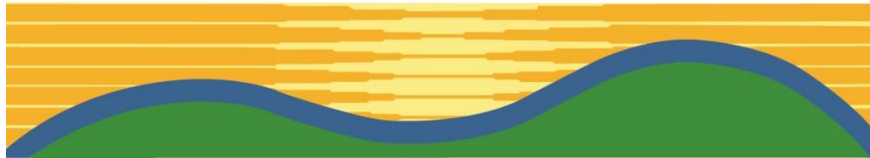


MITCHELL SHIRE COUNCIL



**HEARINGS COMMITTEE
MINUTES**

MONDAY 5 DECEMBER 2016

7.00pm

**DAVID TURNBULL
CHIEF EXECUTIVE OFFICER**

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<p style="text-align: center;">MINUTES OF THE HEARINGS COMMITTEE OF THE MITCHELL SHIRE COUNCIL HELD AT THE CIVIC CENTRE 113 HIGH STREET BROADFORD ON MONDAY 5 DECEMBER 2016</p>
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THE MEETING OPENED: 7.00pm

COUNCILLORS PRESENT

Cr Annie Goble	Central Ward
Cr Bob Humm	Central Ward
Cr David Atkinson	Central Ward
Cr Fiona Stevens	North Ward
Cr Bill Chisholm	North Ward
Cr Rhonda Sanderson	North Ward (Chairperson)
Cr David Lowe	South Ward
Cr Bob Cornish	South Ward

OFFICERS PRESENT

Mr David Turnbull	Chief Executive Officer
Mr Laurie Ellis	Director Corporate Services
Mr Travis Heeney	Director Sustainable Communities
Ms Lidia Harding	Governance Advisor

1. GOVERNANCE DECLARATION

The declaration was read by Cr. A. Goble

2. APOLOGIES AND LEAVE OF ABSENCE

COUNCIL RESOLUTION

MOVED: CR. B. CORNISH

SECONDED: CR. D. LOWE

THAT the apology for Cr. R. Eldridge be accepted.

UNANIMOUSLY CARRIED

3. DISCLOSURE OF CONFLICTS OF INTEREST

In accordance with Section 79 of the Local Government Act 1989.

No disclosure of conflicts of interest were received for this meeting.

4. CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

MOVED: CR. B. CORNISH

SECONDED: CR. B. CHISHOLM

THAT the minutes of the Hearings Committee meeting held on 12 September 2016 as circulated, be confirmed.

UNANIMOUSLY CARRIED

5. SUBMISSIONS

No submissions were received for this meeting.

PUBLIC PARTICIPATION FORUM

In accordance with Clause 65 of the Meeting Procedure Local Law 2014.

6. QUESTION TIME

David Turnbull, Chief Executive Officer read the following question received from Mr David Waye of Pyalong:

1. *Regarding the Powers of Entry onto a property by a Mitchell Shire Ranger:*

- a. *Under what circumstances can a Mitchell Shire Ranger enter a property?*
- b. *Which documents must the Ranger produce at the time of entry, if the occupier or agent are present, or the Ranger is challenged?*
- c. *What means does the occupier have to verify the legitimacy of the purpose of entry? and*
- d. *What redress can an occupier seek in the case of an unauthorised entry by a Mitchell Shire Ranger?*

Travis Heeney, Director Sustainable Communities advised that:

- a. A Community Compliance Officer is authorised under s224 of the Local Government Act 1958 to enter a property.
- b. In accordance with the Domestic Animals Act 1994 a ranger is required to produce an identity card for inspection by the person before entering a property.
- c. Any concerns in relation to verifying the legitimacy of the purpose of entry can be addressed with the Community Compliance Coordinator.
- d. Any concerns in relation to the conduct of an authorised officer can be addressed with the Community Compliance Coordinator on 5734 6200.

David Turnbull, Chief Executive Officer read the following question received from Mr Brian Mawhinney of Kilmore:

Kilmore and District Residents and Ratepayers Association Inc (KADRRA) would like to congratulate our newly elected Councillors and those re-elected to serve the Mitchell Shire.

Given that "Openness, accountability and transparency" were advocated prior to the Council election will you now, as Councillors, follow through on those issues and re-introduce "Open Forum" as part of ALL future Ordinary Council meetings?

Cr Sanderson advised that this is a very important issue that Council would like to discuss in the near future to determine its position and what process if any would need to be undertaken. A further response will be forwarded to you when this occurs.

David Turnbull, Chief Executive Officer read the following question received from Ms Heather Muir of Kilmore:

I ask that the Bylaws Department produce all documents showing the total cost of this matter incurred by your Department and for you to justify proceeding with this matter when the outcome was \$79.00 court fees only. How much did this matter cost the poor Ratepayers?

Ms Muir was not in attendance at the meeting and a response will be provided in to her in writing.

7. COMMUNITY PRESENTATIONS

No community presentations were received for this meeting.

8. DATE OF NEXT MEETING

Meetings of the Hearings Committee are scheduled for the second Mondays (when Mondays are unavailable due to a scheduled public holiday the meeting will be moved to the Tuesday) of the month. If no submissions are scheduled to be heard at a particular meeting of the Committee, the meeting will be cancelled.

The next meeting of the Hearings Committee is scheduled for Monday 13 February 2017.

9. CLOSE OF MEETING

The Mayor declared the meeting closed at 7.59pm.

Chairperson
Mayor, Cr Rhonda Sanderson
Date: