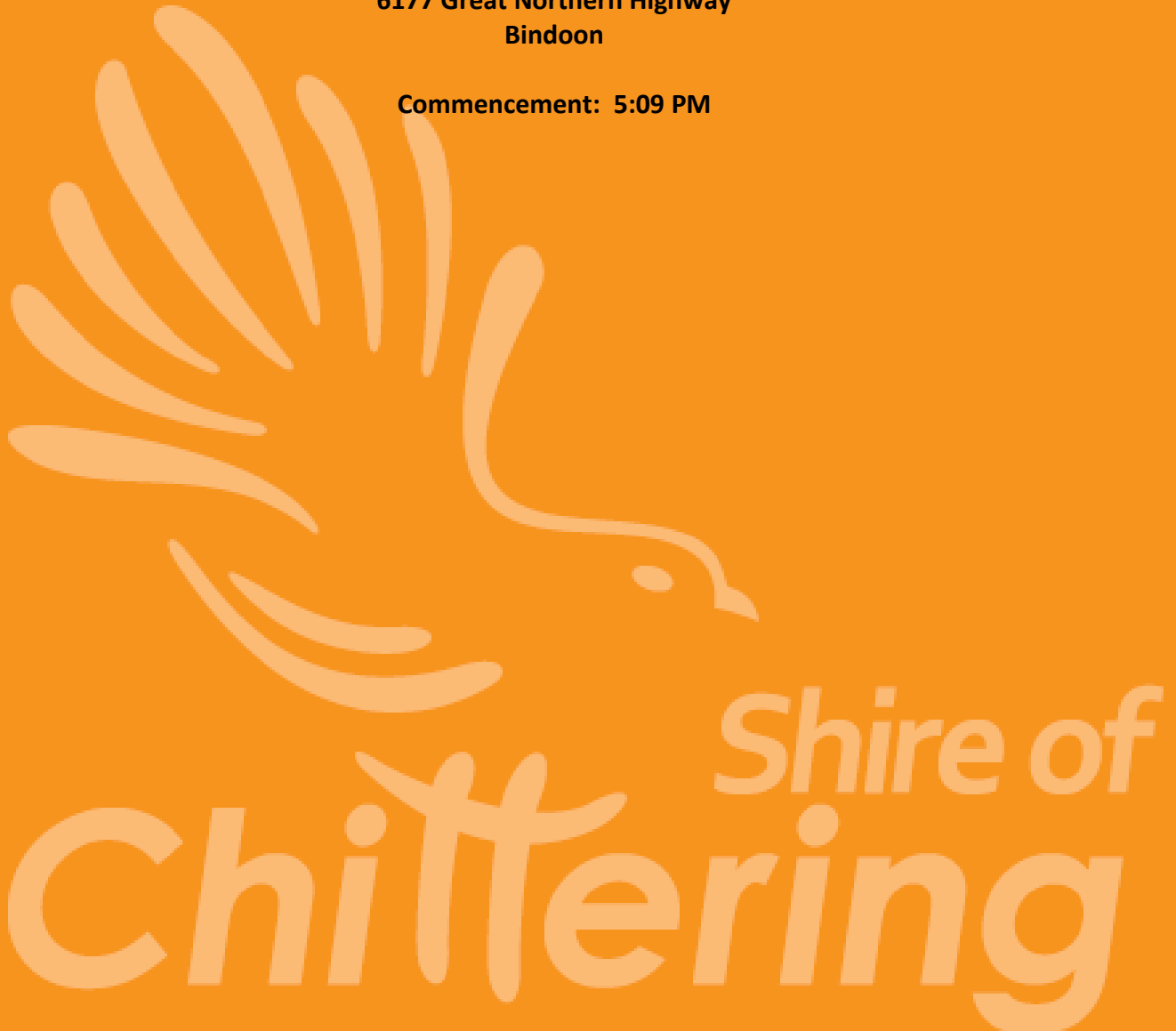


MINUTES FOR SPECIAL MEETING OF COUNCIL

TUESDAY, 29 JANUARY 2019

Council Chambers
6177 Great Northern Highway
Bindoon

Commencement: 5:09 PM



Disclaimer

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

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

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

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

Preface

When the Chief Executive Officer approves these Minutes for distribution they are in essence "Unconfirmed" until the following Ordinary Meeting of Council, where the minutes will be confirmed subject to any amendments.

The "Confirmed" Minutes are then signed off by the Presiding Member.

Attachments that formed part of the agenda, in addition to those tabled at the Ordinary Meeting of Council are put together as an addendum to these Minutes.

Unconfirmed Minutes

These minutes were approved for distribution on Monday 4 February 2019.



Neil Hartley
Acting Chief Executive Officer
Shire of Chittering

Confirmed Minutes

These minutes were confirmed at a meeting held on Wednesday 20 February 2019.

Signed

Note: The Presiding Member at the meeting at which the minutes were confirmed is the person who signs above.

Disclaimer

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

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

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

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

TABLE OF CONTENTS

1.	DECLARATION OF OPENING OF MEETING / ANNOUNCEMENTS OF VISITORS	1
2.	RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE	1
	2.1 Attendance	1
	2.2 Apologies	1
	2.3 Approved leave of absence	1
3.	DISCLOSURE OF INTEREST	1
4.	PUBLIC QUESTION TIME	2
	4.1 Public question time	2
5.	PRESENTATIONS / PETITIONS / DEPUTATIONS	2
	5.1 Petitions	2
	5.2 Deputations	2
6.	ANNOUNCEMENT FROM THE PRESIDING MEMBER	2
7.	PURPOSE OF MEETING	3
	7.1 Audit Committee: 29 January 2019*	3
8.	CLOSURE	6

* indicates separate attachments

1. DECLARATION OF OPENING OF MEETING / ANNOUNCEMENTS OF VISITORS

The Deputy Presiding Member declared the meeting open at 5:09 PM.

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

2.1 Attendance

Cr Peter Osborn	Deputy Presiding Member
Cr Mary Angus	
Cr Don Gibson	
Cr Carmel Ross	
Cr George Tilbury	
Neil Hartley	Acting Chief Executive Officer
Rhona Hawkins	Executive Manager Corporate Services
Peter Stuart	Executive Manager Development Services
Nadine Hayes	Acting Executive Support Officer (Minute Secretary)

2.2 Apologies

Cr Gordon Houston	Presiding Member
Cr Aaron King	

2.3 Approved leave of absence

Nil

3. DISCLOSURE OF INTEREST

Nil

4. PUBLIC QUESTION TIME

4.1 Public question time

Nil

5. PRESENTATIONS / PETITIONS / DEPUTATIONS

5.1 Petitions

Nil

5.2 Deputations

Nil

6. ANNOUNCEMENT FROM THE PRESIDING MEMBER

Nil

7. PURPOSE OF MEETING

7.1 Audit Committee: 29 January 2019*

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

Executive Summary

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

Background

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

6.2 COMMITTEE RECOMMENDATION

Moved Cr Tilbury / Seconded Cr Ross

That the Audit Committee recommends to Council that it:

1. Receives the Audit Report of 19 December 2018 (as incorporated within the Annual Report);
2. Pursuant to Sections 5.54 and 5.55 of the Local Government Act 1995, accepts the Annual Report and Financial Statements for the 2017-2018 financial year; and
3. Convenes the Annual Electors Meeting for 7pm on Wednesday, 13 March 2019 at the Muchea Hall, Archibald Street, Muchea.

THE RECOMMENDATION WAS PUT AND DECLARED CARRIED 4/1
BY AN ABSOLUTE MAORITY

4:57 PM

6.3 OFFICER RECOMMENDATION

Moved Cr Angus / Seconded Cr Tilbury

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

THE RECOMMENDATION WAS PUT AND DECLARED CARRIED 5/0

4:34 PM

Consultation/Communication Implications

Local

Chittering Audit Committee

Moore Stephens

State

Nil

Legislative Implications

State

- *Local Government Act 1995 Section 5.54(2)*
(2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.'

- *Local Government Act 1995 Section 5.27*
Electors' general meetings
(1) A general meeting of the electors of a district is to be held once every financial year.
(2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
(3) The matters to be discussed at general electors' meetings are to be those prescribed.

- *Local Government Act 1995*
5.46. Register of, and records relevant to, delegations to CEO and employees
(1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
(2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
(3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

- *Planning and Development Act 2005* including regulations and adopted policies
- *Dog Act 1976* and regulations
- *Bush Fires Act 1954* regulations and local laws created under that Act)
- *Health (Miscellaneous Provisions) Act 1911* (as amended) regulations and local law created under that Act
- *Freedom of Information Act 1992*
- *Land Administration Act 1997* as amended and regulations
- *Litter Act 1979* and regulations
- *Local Government (Miscellaneous Provision) Act 1960* as amended
- *Caravan Parks and Camping Grounds Act 1995*
- *Control of Vehicles (Off-Road Areas) Act 1978* and regulations
- *Strata Titles Act 1985*
- *Food Act 2008*
- *Environmental Protection Act 2005*
- *Building Act 2011*
- *Public Health Act 2016*
- *Land Act 1933*

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil

Strategic Implications

Local

Nil

State

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

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

Social implications

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

Environmental implications

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

Officer Comment/Details

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

7.1 COMMITTEE RECOMMENDATION / COUNCIL RESOLUTION 010119

Moved Cr Tilbury / Seconded Cr Angus

That Council:

1. Receives the unconfirmed minutes from the Audit Committee meeting held on 29 January 2019.
2. Adopts the following Audit Committee recommendations:
 - a. Receives the Audit Report of 19 December 2018 (as incorporated within the Annual Report);
 - b. Pursuant to Sections 5.54 and 5.55 of the *Local Government Act 1995*, accepts the Annual Report and Financial Statements for the 2017-2018 financial year;
 - c. Convenes the Annual Electors Meeting for 7pm on Wednesday, 13 March 2019 at the Muchea Hall, Archibald Street, Muchea; and
 - d. Endorses the Delegated Authority Register as per Attachment 1 subject to only officer titles (not officer names) being used within the relevant delegations.

THE RECOMMENDATION WAS PUT AND DECLARED CARRIED 5/0

5:11 PM

8. CLOSURE

The Deputy Presiding Member declared the meeting closed at 5:11 PM.



6177 Great Northern Highway
PO Box 70 Bindoon WA 6502
T: 08 9576 4600 F: 08 9576 1250
E: chatter@chittering.wa.gov.au
www.chittering.wa.gov.au

Office hours: Monday to Friday
8.30am - 4.30pm