



**MINUTES FOR THE
SPECIAL COUNCIL MEETING
HELD ON**

Friday 3 November 2017

DISCLAIMER

The purpose of Council Meetings 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 Mingenew 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.

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SHIRE OF MINGENEW

MINUTES FOR SPECIAL MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS ON 3 November 2017 COMMENCING AT 5.30pm

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Person, Cr Cosgrove declared the meeting open at 5.40pm and welcomed all in attendance.

1.1 SWEARING IN OF NEWLY ELECTED COUNCILLORS

A newly elected member of council needs to make a declaration of office in accordance with section 2.29 of the Act and regulation 13 of the Local Government (Constitution) Regulations 1998, within two months of being declared elected, otherwise the office becomes vacant and a further extraordinary election must be held to fill the vacancy.

LGA s2.29; s2.32(c); Sch 1 Form 7

The following elected Councillors read aloud the Declaration required under the Local Government Act 1995, and were formally sworn in witnessed by the Chief Executive Officer, Martin Whitely;

1. Cr Helen Newton
2. Cr Robert Newton
3. Cr Kym McGlinn
4. Cr Justin Bagley

2.0 RECORD OF ATTENDANCE/APOLOGIES

GJ Cosgrove	Deputy President	Rural Ward
RW Newton	Councillor	Rural Ward
JD Bagley	Councillor	Rural Ward
HM Newton	Councillor	Town Ward
KJ McGlinn	Councillor	Town Ward

STAFF

M Whitely	Chief Executive Officer
D Ojha	Finance Manager

APOLOGIES

LM Eardley	Councillor	Town Ward
CR Lucken	Councillor	Town Ward

3.0 PUBLIC QUESTION TIME/PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

There being no members of public the Presiding Person proceeded with the meeting allowing a period of 15 minutes for questions from the public up until 5:58pm

4.0 OFFICERS REPORTS

4.1 CHIEF EXECUTIVE OFFICER

4.1.1 AUDIT COMMITTEE

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0213
Date: 1 November 2017
Author: Martin Whitely, Chief Executive Officer

Summary

Council is requested to appoint delegates to the Audit Committee.

Attachment

Nil

Background

It is a requirement of the Local Government Act 1995 for a local government to establish an Audit Committee. The purpose of the Audit Committee is to oversee the allocation of the local government's finances and resources including, but not limited, to such functions as the appointment of an auditor, receiving the annual financial report and reviewing the auditor's report.

Comment

Section 7.1A of the Local Government Act 1995 ("LGA") requires local governments to establish an Audit Committee of 3 or more persons. It is a condition of the Local Government Act 1995 that the Chief Executive Officer is not to be a member of the Audit Committee.

It is common practice for many smaller local authorities to appoint the Full Council as the representatives to the Audit Committee and historically this has been the case for the Shire of Mingenew.

Consultation

Nil

Statutory Environment

Local Government Act 1995

Division 1A — Audit committee

7.1A. Audit committee

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed* by the local government and at least 3 of the members, and the majority of the members, are to be council members.

** Absolute majority required.*

- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.
- (4) An employee is not to be a member of an audit committee.

Policy Implications

1003 ELECTION TO COMMITTEES

Nomination of Councillor/s to Positions in Council/Committees - Prior to any nomination being made the person being nominated be advised of the proposal, and appointment to the position will be subject to the approval of the nominee.

Financial Implications

Nil

Strategic Implications

Community Strategic Plan

Outcome 4.2.2 – To be strong advocates representing the Shire's interests

Outcome 4.2.3 – Provide long term strategic management

Outcome 4.5.1 - Ensure compliance with local, town planning, building and health and all other relevant legislation.

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION – ITEM 9.1.1

That Council appoint the following persons to the Audit Committee for the Shire of Mingenew;

- Cr Gary Cosgrove
- Cr Leah Eardley
- Cr Crispian Lucken
- Cr Helen Newton
- Cr Robert Newton
- Cr Justin Bagley
- Cr Kym McGlinn

COUNCIL DECISION – ITEM 9.1.1

Moved Cr RW Newton

Seconded Cr McGlinn

That Council appoint the following persons to the Audit Committee for the Shire of Mingenew;

- Cr Gary Cosgrove
- Cr Leah Eardley
- Cr Crispian Lucken
- Cr Helen Newton
- Cr Robert Newton
- Cr Justin Bagley
- Cr Kym McGlinn

CARRIED 5/0

5.0 CLOSURE

The Presiding Person closed the meeting at 5.58pm.

These minutes were confirmed at an Ordinary Council meeting on 15 November 2017.

Signed _____
Presiding Officer

Date: _____