



Shire of Cunderdin

Minutes of a Special Council Meeting

Dear Council Member,

A Special Meeting of the Cunderdin Shire Council was held on **Thursday 30 March 2017** in the Council Chambers, Lundy Avenue Cunderdin **commencing at 5.00pm**, for the purpose of:

1. Receive the Audit Committee Meeting Minutes of 16th March 2017;
2. Adopt the Shire of Cunderdin Annual Report for 2015/16 Financial Year; and
3. Consider the Shire of Cunderdin Mid-Year Budget Review.

Peter Naylor
Chief Executive Officer

Table of Contents

1.	Declaration of opening	3
2.	Public Question Time	3
3.	Record of Attendance, Apologies and Approved Leave of Absence	4
4.	Petitions, Deputations, Presentations	4
5.	Announcements by President without discussion	4
6.	Finance & Administration	5
6.1	Shire of Cunderdin Audit Committee Meeting Minutes 16 th March 2017	5
6.2	Shire of Cunderdin Annual Report 2015/2016 Financial Year	7
6.3	Shire of Cunderdin Mid-Year Budget Review 2016/17 Financial Year.....	10
7.	Closure of meeting	12

AGENDA

1. Declaration of opening

The President declared the meeting open at 5.00pm

The Shire of Cunderdin disclaimer was read aloud.

The *Local Government Act 1995* Part 5 Division 2 Section 5.25 and Local Government (Administration) Regulations 1996 Regulation 13

“No responsibility whatsoever is implied or accepted by the Shire of Cunderdin for any act, omission or statement or intimation occurring during this meeting. It is strongly advised that persons do not act on what is heard at this Meeting and should only rely on written confirmation of Council’s decisions, which will be provided within ten working days of this meeting”.

2. Public Question Time

Response to previous public questions taken on notice

Declaration of public question time opened at

Declaration of public question time closed at

3. Record of Attendance, Apologies and Approved Leave of Absence

Record of attendances

Councillors

Cr DA (Dennis) Whisson	Shire President
Cr B (Bernie) Daly	
Cr RC (Clive) Gibsone	
Cr AE (Alison) Harris	
Cr TE (Todd) Harris	
Cr NW (Norm) Jenzen	

Apologies

Cr DB (Doug) Kelly	Deputy President
--------------------	------------------

On Leave of Absence

Cr DG (Dianne) Kelly	(Granted OCM 16 th March 2017)
----------------------	-------------------------------------------

Staff

Peter Naylor	Chief Executive Officer
Paul Godfrey	Deputy Chief Executive Officer
Ian Bartlett	Manager Works & Services

Guests of Council

Members of the Public

Applications for leave of absence

Declaration of Members and Officers Financial Interests

4. Petitions, Deputations, Presentations

5. Announcements by President without discussion

6. Finance & Administration

6.1 Shire of Cunderdin Audit Committee Meeting Minutes 16th March 2017

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	24 March 2017
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	9 Pages

Proposal/Summary

Council to receive the minutes of the Audit Committee Meeting held on Thursday 16th March 2017, and consider the Committee recommendations contained therein.

Background

A copy of the Audit Committee Minutes have been circulated to all Councillors.

Comment

There were two (2) items of business on the Audit Committee Agenda and the recommendations from the Committee are:

1. Shire of Cunderdin Audit Report 2015/16 Financial Year
Resolution 5.1
That the Audit Committee receives the Annual Audit Report for the Year Ending 30 June 2016.
2. Shire of Cunderdin Compliance Audit Return 2016
Resolution 5.2:
That the Audit Committee:
 - (a) *Receives the Shire of Cunderdin Compliance Audit Return for the period 1 January 2016 to 31 December 2016, as prepared;*
 - (b) *Notes that the Shire of Cunderdin complied in all areas of legislative requirements during the reporting; and*
 - (c) *Recommends to Council that the Shire of Cunderdin Compliance Audit Return 2016, as prepared, be adopted and submitted to the Department of Local Government.*

Consultation

Nil

Statutory Environment

Local Government Act 1995 Part 5 Division 2 Subdivision 3 - Section 5.22 (2)

The minutes of a meeting of a council or a committee are to be submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Local Government Act 1995

7.12A. Duties of local government with respect to audits

- (1) A local government is to do everything in its power to —
 - (a) assist the auditor of the local government to conduct an audit and carry out his or her other duties under this Act in respect of the local government; and
 - (b) ensure that audits are conducted successfully and expeditiously.
- (2) Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.
- (3) A local government is to examine the report of the auditor prepared under section 7.9(1), and any report prepared under section 7.9(3) forwarded to it, and is to —
 - (a) determine if any matters raised by the report, or reports, require action to be taken by the local government; and
 - (b) ensure that appropriate action is taken in respect of those matters.
- (4) A local government is to —
 - (a) prepare a report on any actions under subsection (3) in respect of an audit conducted in respect of a financial year; and
 - (b) forward a copy of that report to the Minister, by the end of the next financial year, or 6 months after the last report prepared under section 7.9 is received by the local government, whichever is the latest in time.

Local Government (Audit) Regulations 1996

Local Government (Financial Management) Regulations 1996

Policy Implications

Nil

Financial Implications

There are no financial implications in considering this item.

Strategic Implications

Nil

Resolution 6.1

That the Minutes of the Shire of Cunderdin Audit Committee Meeting held on Thursday 16th March 2017, be received and the recommendations contained therein be endorsed.

Moved: Cr Clive Gibsone

Seconded: Cr Norm Jenzen

Vote – Absolute majority

Carried: 6/0

6.2 Shire of Cunderdin Annual Report 2015/2016 Financial Year

Location:	Cunderdin
Applicant:	Chief Executive Officer
Date:	24 March 2017
Author:	Peter Naylor / Paul Godfrey
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	82 Pages

Proposal/Summary

For Council to accept the Annual Report for the 2015/2016 Financial Year.

Background

The *Local Government Act 1995*, sections 5.53 & 5.54 provides for a local government to prepare an Annual Report in each financial year.

The Report is to be received by the local government no later than 31 December after that financial year, however 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.

The Report is to be prepared in accordance with the provisions of the *Act* and the Local Government (Financial Management) Regulations 1996.

Comment

The *Local Government Act 1995*, section 5.26 provides that Council holds a General Meeting of Electors within 56 days of receiving the Annual Report.

In previous years Council has held an informal meeting in Meckering prior to the general meeting in Cunderdin.

It is proposed that this continue, however the dates / times for both meetings need to be determined.

A copy of the Annual Report has been circulated to all Council members.

Consultation

Nil

Statutory

Local Government Act 1995

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.*

5.53. Annual reports

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual report is to contain —*
 - (a) *a report from the mayor or president; and*
 - (b) *a report from the CEO; and*
 - [(c), (d) deleted]*
 - (e) *an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and*
 - (f) *the financial report for the financial year; and*
 - (g) *such information as may be prescribed in relation to the payments made to employees; and*
 - (h) *the auditor's report for the financial year; and*
 - (ha) *a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and*
 - (hb) *details of entries made under section 5.121 during the financial year in the register of complaints, including —*
 - (i) *the number of complaints recorded in the register of complaints; and*
 - (ii) *how the recorded complaints were dealt with; and*
 - (iii) *any other details that the regulations may require; and*
 - (i) *such other information as may be prescribed.*

5.54. Acceptance of annual reports

- (1) *Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.*
- * Absolute majority required.*
- (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.*

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Resolution 6.2

That Council:

- 1. Pursuant to section 5.54 of the *Local Government Act 1995*, accepts the Annual Report for the 2015/2016 Financial Year.**
- 2. Schedules a general public meeting at the Meckering Sporting Club on Thursday 20th April 2017, commencing at 5:00pm.**
- 3. Pursuant to section 5.27 of the *Local Government Act 1995*, schedules the Annual General Meeting of Electors at the Cunderdin Community Resource Centre on Thursday 20th April 2017, commencing at 7:00pm.**
- 4. Schedules a Strategic Planning Forum at the Cunderdin Community Resource Centre following the conclusion of the May Ordinary Council Meeting on Thursday 18th May 2017, commencing at 7.30pm.**
- 5. Reschedules the commencement time of the Ordinary Meeting of Council to be held on Thursday 20th April 2017 to now commence at 2:00pm (from 5:00pm).**

Moved: Cr Alison Harris

Seconded: Cr Norm Jenzen

Vote – Absolute majority

Carried: 6/0

Note: Copy of the Annual Report to be forwarded to the Department of Local Government.

6.3 Shire of Cunderdin Mid-Year Budget Review 2016/17 Financial Year

Location:	Cunderdin
Applicant:	Chief Executive Officer
Date:	24 March 2017
Author:	Peter Naylor / Paul Godfrey
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	9 Pages

Proposal:

The purpose of this report is for the Shire of Cunderdin to consider and adopt the Budget Review Report, with any amendments, for the period 1 July 2016 to 28 February 2017.

Background:

The Local Government Act provides for local governments, including regional local governments, to prepare an annual budget.

6.2. Local government to prepare annual budget

- (1) *During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.*

**Absolute majority required.*

The Local Government (Financial Management) Regulations 1996 require local governments to undertake a review of the Annual Budget.

33A. Review of Budget

- (1) *Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) *The review of an annual budget for a financial year must —*
- (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
 - (b) consider the local government's financial position as at the date of the review; and*
 - (c) review the outcomes for the end of that financial year that are forecast in the budget.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

**Absolute majority required.*

- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

A detailed analysis at account level incorporating year to date actual results and budget projections to 30 June 2017, for the period ending 28 February 2017, is presented for consideration. A Statement of Financial Activity at program level has been prepared to provide a summarisation of the budget review results, as well as a Statement of Closing Funds detailing the projected surplus as at 30 June 2017.

Comment:

The budget review has been prepared to include the information required by the *Local Government Act 1995*, the *Local Government (Financial Management) Regulations 1996*, and the Australian Accounting Standards. Council adopted a 10% minimum or \$10,000 for the reporting of material variances to be used in the statements of financial activity and the annual budget review.

The adopted budget contained an opening surplus of \$627,945 with a closing surplus at 30 June 2017 of \$341,645. After the completion of the audit the actual opening surplus is now \$549,731, which reduces the closing surplus to \$263,431. Council may use this surplus as it sees appropriate. Please note the surplus at end of year must be less than \$156,458 (which is equal to 10% of the budget deficit before rates), this is in accordance with Local Government (Financial Management) Regulation 32 and s6.2 of the Local Government Act 1995.

The 2016/17 Annual Budget Review, for the period 1 July 2016 to 28 February 2017, is based on current trends.

Consultation:

Nil

Policy Implications:

Nil

Statutory Environment:

Local Government Act 1995 Section 6.2
Local Government (Financial Management) Regulations 1996, Regulation 33A

Strategic Implications:

Sound financial management is an important cornerstone of good governance.

Resolution 6.3

That Council:

- 1. Adopt the 2016/17 Annual Budget Review, as presented in Attachment 6.3, and notes that the estimated closing funds are based on current revenue and expenditure trends.**
- 2. Authorise the budget amendments as per the attachment to item 6.3 and as detailed in the agenda item report.**
- 3. Authorises the inclusion of the following items as part of the Mid-Year Budget Review, to be funded from the actual End of Year Surplus of \$263,431 from the 2015/16 Financial Year:**
 - i) \$70,900: Changeover of three Executive Officer Vehicles (Chief Executive Officer, Deputy CEO & Manager Works & Services).**
 - ii) \$33,000: Purchase of new Reel Mower.**
 - iii) \$10,000: Contribution towards National Heritage Council Conservation Works at the Cunderdin Museum.**
 - iv) \$5,000: Replace chairs in the Council chambers.**
 - v) \$144,531: Transfer funds to the Cunderdin Building Reserve Account.**

Moved: Cr Todd Harris

Seconded: Cr Bernie Daly

Vote – Absolute majority

Carried: 6/0

7. Closure of meeting

There being no further business the Shire President declared the meeting closed at 5.56pm.