



Shire of Cunderdin

Notice of a Special Council Meeting

Dear Council Member,

A Special Meeting of the Cunderdin Shire Council was held on **Thursday 6th February 2020** in the Council Chambers, Lundy Avenue Cunderdin commencing **at 5:00pm**, for the purpose of:

1. Adopting the Annual Report

Stuart Hobley

Chief Executive Officer

Thursday 6th February 2020

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AGENDA

1. Declaration of opening

Councillor B Daly will declare the meeting open at 5:00pm

The Shire of Cunderdin disclaimer will be read aloud by Cr B Daly.

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. Record of Attendance, Apologies and Approved Leave of Absence

2.1 Record of attendances

Councillors

Cr AE (Alison) Harris (Via phone)

Cr TE (Todd) Harris (Via phone)

Cr NW (Norm) Jenzen

Cr B (Bernie) Daly

Cr W (Sam) Stewart

Cr A (Tony) Smith

In Attendance

Stuart Hobley

Chief Executive Officer

Hayley Byrnes

Manager of Corporate Services and Finance

Guests of Council

Members of the Public

Apologies

Cr DA (Dennis) Whisson

Cr J (Jayson) Goldson

Leave of Absence Previously Granted

3. Public Question Time

Nil

4. Petitions, Deputations & Presentations

Nil

5. Finance & Administration

5.1 Shire of Cunderdin Annual Report 2018/2019

Location:	Cunderdin
Applicant:	Chief Executive Officer
Date:	28 th January 2020
Author:	Stuart Hobley
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 5.1 – Annual Report

Proposal/Summary

For Council to accept the Annual Report for the 2018/19 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.

Council previously adopted the Auditors Report and set the date for the Electors Meeting at the December ordinary Meeting of Council. The Annual Report was not adopted at that time as several changes had to be made to the format of the report to bring it into line with the current legislation.

The General Meeting of Electors is scheduled for Thursday the 20th February 2020 commencing at 7pm.

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 5.1 SCM February 2020

That Council:

1. Pursuant to section 5.54 of the Local Government Act 1995, accepts the Annual Report for the 2018/2019 Financial Year.

Moved: Cr A (Alison) Harris

Seconded: Cr A (Tony) Smith

Vote – Absolute majority

Carried: 6/0

6. Closure of meeting

There being no further business Councillor B Daly declared the meeting closed at 5:09pm.

7. Certification

DECLARATION

I, Dennis Whisson, certify that the minutes of the Special Council Meeting held on 6th February 2020 as shown were confirmed at the ordinary meeting of Council held on 20th February 2020.

Signed: _____

Date: _____