



Shire of Wandering

**Special Council Meeting
29 September 2016**

Minutes

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1 DECLARATION OF OPENING /ANNOUNCEMENT OF VISITORS

Meeting was opened at 5.46pm

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Present:

Cr B Whitely President
Cr B Dowsett Deputy President
Cr J Price
Cr W Gowland
Cr G Parsons
Cr M Watts

Staff:

Ms Amanda O'Halloran Chief Executive Officer
Mr Durga Ojha Manager of Finance and Administration

Visitors:

Nil

Gallery:

Nil

Apologies:

Cr C Ferguson

Approved Leave of Absence:

Nil

3 DISCLOSURE OF INTERESTS

DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE) *(updated 13 March 2000)*

A member who has a Financial Interest in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting or;
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (c) Preside at the part of the Meeting, relating to the matter or;
- (d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the Local Government Act 1995.

NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have a Financial Interest in a matter. I intend to include these notes in each agenda for the time being so that Councillors may refresh their memory.

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1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measured in money terms. There are exceptions in the Local Government Act 1995 but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it MUST be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The only exceptions are:
 - 6.1 Where the Councillor discloses the extent of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the Local Government Act; or
 - 6.2 Where the Minister allows the Councillor to participate under s5.69 (3) of the Local Government Act, with or without conditions.

INTERESTS AFFECTING IMPARTIALITY

DEFINITION: An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'.

A member who has an Interest Affecting Impartiality in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- (a) in a written notice given to the Chief Executive Officer before the Meeting; or
- (b) at the Meeting, immediately before the matter is discussed.

IMPACT OF AN IMPARTIALITY CLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

4 PUBLIC QUESTION TIME

Nil

5 MATTERS REQUIRING COUNCIL DECISION

5.1 2015/16 ANNUAL FINANCIAL STATEMENTS AND ANNUAL GENERAL MEETING OF ELECTORS

FILE REFERENCE:	10.1.16
PROPOSERS:	Nil
DISCLOSURE OF INTEREST:	Nil
DATE:	15 September 2015
PREVIOUSLY BEFORE COUNCIL:	N/A
AUTHORS NAME & POSITION:	Durga Ojha, Manager Finance & Administration Amanda O'Halloran, CEO
NATURE OF COUNCILS ROLE IN THE MATTER:	Legislative

Purpose of the report

The Local Government Act 1995 requires Council to accept the draft annual report for the preceding financial year, including the financial and auditor's reports, within two months of the auditor's report becoming available. The auditor's report was received by the Shire on the 23 September 2016. Council recommended holding the Annual Electors Meeting on the 2 November 2016, giving at least 14 days local public notice of the meeting.

This item is to endorse the final Annual Report for 2015/16 and approve circulation prior to the 2 November 2016 Meeting.

BACKGROUND

The Shire's Auditors Butler Settineri have audited the 2015/16 Annual Financial Statements and have provided an Independent Auditor's Report as required under the relevant provisions of the Local Government Act 1995 (LGA). The Auditor's Report and Annual Financial Statements are now presented to Councillors for their information.

Mr Marius Van Der Merwe, the Audit Partner of Butler Settineri Pty Ltd will be available for questions at the September Audit and Risk Committee Meeting 2016.

COMMENT

The Shire of Wandering's independent auditor, Butler Settineri (Audit) Pty Ltd, audits the Council's financial report within the requirements of the *Local Government Act 1995*, the Local Government (Financial Management) Regulations 1996, and Australian Accounting Standards twice a year. The first being the

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interim audit and the second being the final audit. The final audit has been conducted by the independent Auditor and the Annual Financial Report for the year ended 30 June 2016 and was provided to Council on the 23 September 2016 with the auditor's findings.

ATTACHMENT 5.1.1

Council's management and internal control systems are sound. In addition to being monitored internally on a daily and monthly basis they are also strengthened by an independent assessment each year on the Shire's financial management systems and external audit reporting.

The independent assessment reviews Council's financial position, financial management practices and compliance with the requirements of the Local Government Act, the Local Government (Financial Management) Regulations, and Accounting Standards.

There are five primary financial statements which have been prepared to finalise the financial report for 2015/16.

- Statement of Comprehensive Income.
- Statement of Financial Position.
- Statement of Changes in Equity.
- Statement of Cash Flows.
- Rate Setting Statement.

Statement of Comprehensive Income:

The Statement of Comprehensive Income shown on pages 3 to 4 of the Financial Statement shows the extent to which operating expenditure has exceeded operating revenue during the financial year 2015/16, leaving an operating deficit of \$652,727.

When capital grants and profit/loss on disposal of assets are included, the net result is surplus of \$509,148 compared to the net surplus of \$675,953 in the financial year 2014/15. The statement also accounts for the profit on revaluation of non-current assets during the year of \$39,119,989 resulting in a total comprehensive income of \$39,629,137 for financial year 2015/16.

Statement of financial Position:

The statement of financial position as shown on page 5 of the Financial Report shows the assets and liabilities, which make up equity as at the 30 June 2016. Council's current assets exceed current liabilities by \$287,478, however \$353,558 includes the restricted portion of cash which is mainly reserve. Total net assets as at 30 June 2016 was \$60,127,119 and increased by 39,629,137, compared to financial year 2014/15.

Statement of Change in equity:

The statement of change in equity as shown on page 6 shows the extent to which the total equity has been increased by the net result of the year's activities. For the year ending 30 June 2016, the total equity increased from \$20,496,422 to \$60,127,119

Statement of Cash Flow:

The statement of cash flow shown on page 7 of the financial report shows the nature and amounts of cash inflow and outflow for Council activities during the financial year 2015/16. Council's cash held at the end of the reporting period was \$382,142 compared to \$755,750 in financial year 2014/15.

Rate Setting Statement:

The Rate setting statement shown on page 8 of the financial report shows the amount of rates required to be raised to fund the Council's operating during 2015/16. In 2015/16 financial year \$777,930 was raised.

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Key financial figures within the audited Annual Financial Report for the year ended 30 June 2016 include:

<u>Statement of Comprehensive Income:</u>	2016	2015
Operating Revenue	\$2,040,552	\$2,387,007
Operating Expenditure	\$2,693,279	\$2,509,269
Operating Deficit	\$652,727	\$122,262
Net result (Utilised for Capital Works)	\$509,148	\$675,953

Statement of Financial Position:

Current Assets	\$628,607
Current Liabilities	\$341,129
Non-Current Assets	\$60,070,123
Non- Current Liabilities	\$230,483
Total Equity	\$60,127,119

A date also needs to be chosen to hold the Annual Electors Meeting. Council have 56 days to hold the Electors Meeting after the Annual Report has been adopted. It is proposed to hold the Annual Electors Meeting on the following date:

- Wednesday 2 November 2015, 7.30pm, Wandering Community Centre, Downs Street.

The draft annual report is attached for the Council's approval and feedback. The Financial and Audit report will be inserted once Council has accepted and approved the report for distribution.

ATTACHMENT 5.1.2

CONSULTATION

Chief Executive Officer
Manager Finance and Administration
Council Auditors
Shire President

STATUTORY / LEGAL ENVIRONMENT

Section 6.4 of the Local Government Act 1995 requires a local government to prepare a financial report for the preceding financial year by 30 September.

Section 5.53(2)(f) of the Act requires the annual report of the local government to include the financial report.

Section 5.27 of the Act provides that within 56 days of Council accepting the annual report of the previous financial year; it shall convene a General Meeting of Electors to discuss the contents of the report.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There are no financial or budget implications for Council to accept the Annual Financial Statements and Auditors Report.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2013-2023

Goal 5 – A strong and Effective Organisation

Outcome 5.2: Accountable decision making and resource allocation through effective governance.

Strategy 5.2.1: Ensure Council's decision making process is effective and transparent

Strategy 5.2.2: Ensure the organisations governance structure, policies and procedures are current and relevant

Voting Requirement

Absolute Majority Required

OFFICER RECOMMENTATIONS

That Council:

1. Accept the Auditors Report and the Audited Annual Financial Statements of the Shire of Wandering for the financial year ended 30 June 2016 as per **ATTACHMENT 5.1.1** of this agenda and minutes.
2. Accept the prepared draft Annual Report as per **ATTACHMENT 5.1.2** of this agenda and minutes.
3. Hold an Annual General Meeting of Electors at Wandering Community Centre, Wandering commencing at 7.30pm on Wednesday 2 November 2016 and authorise the CEO Amanda O'Halloran to advertise accordingly.

COUNCIL DECISION – ITEM 5.1

MOVED: Cr G Parsons

SECONDED: Cr B Dowsett

CARRIED 6/0

5.2 WANDERING COMMUNITY RESOURCE CENTRE ANNUAL REPORT 2015/2016

FILE REFERENCE:	12.1.13
PROPOSERS:	Nil
DISCLOSURE OF INTEREST:	Nil
DATE:	21 September 2016
PREVIOUSLY BEFORE COUNCIL:	Nil
AUTHORS NAME & POSITION:	Monica Treasure, Manager of Communities
NATURE OF COUNCIL'S ROLE IN THE MATTER:	Executive

PURPOSE OF THE REPORT

In accordance with the Community Service agreement between the Department of Regional Development and the Shire of Wandering an annual report for the 2015/2016 year is to be received by the Department of Regional Development by the 30th September 2016.

The Wandering Community Resource Centre has a three year contract with the Department of Regional Development to provide contracted services under three outcomes:

- Government and Community information and services
- Economic and Business development initiatives
- Social development initiatives.

The first year of contract is completed and as per the agreement, an Annual Report for the 2015/2016 has to be received by the Department of Regional Development by the 30th September 2016.

The Annual Report provides an opportunity to provide information and the volume of services delivered along with the impact and value our services have had on our community.

The Annual Report also elevates the capacity of the Wandering CRC in communicating with our stakeholders and to influence Department of Regional Development's understanding of the impact our work is having in a practical sense.

ATTACHMENT 5.2.1

COMMENT/ DETAILS

The Wandering CRC Annual Report has been written to display and inform the social, business and economic outcomes and initiatives the CRC has contributed to the community. It also reports on the Government and Community information and services that have been utilised within and facilitated within the community.

Council is requested to endorse the Wandering CRC Annual Report for 2015/2016 as presented.

CONSULTATION

Manager of Communities
Chief Executive Officer

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Manager of Finance and Administration
Contract Manager; Department of Regional Development

STATUTORY/ LEGAL ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Implications

Community Strategic Plan 2013-2023

Goal 1 – A Community that is involved and caring

Outcome 1.1 Community facilities that support the community

Outcome 1.2 A community that celebrates and participates together

Outcome 1.3 A supportive and inclusive community for people of all ages

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council:

Endorse the Wandering CRC Annual Report for 2015/2016

COUNCIL DECISION – ITEM 5.2

MOVED: Cr W Gowland

SECONDED: Cr J Price

That Council:

Endorse the Wandering CRC Annual Report for 2015/2016

CARRIED 6/0

6 CONFIDENTIAL ITEMS

Nil

7 CLOSURE OF MEETING

The Shire President declared the meeting closed at 5.57pm

These Minutes were confirmed at the Special Committee Meeting
On 20 October 2016.

Signed: 

Presiding Person at the meeting at which the minutes were confirmed

Date: 18/5/2017