



SPECIAL MEETING

6th of December 2016

MINUTES

NOTICE OF MEETING

**A Special Meeting of the Shire of Cue
To be held on 6th of December 2016
in the Council Chambers commencing at the conclusion of the
Audit Committee Meeting.**

**The purpose of the Meeting is to accept the 2015/16 Annual
Report and Financial Statements**

**Rob Madson
Chief Executive Officer**

Shire of Cue
AGENDA
Special Council Meeting

Held in the Shire of Cue Council Chambers, Austin Street, Cue on Tuesday the 6th of December 2016 to commencing at 6:56pm.

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1. OFFICIAL OPENING

No responsibility whatsoever is implied or accepted by the Shire of Cue 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 decision, which will be provided within fourteen (14) days of this Meeting.

Please be advised that in accordance with a Department of Local Government recommendation this Meeting is being electronically recorded with my permission.

PRESENT:

Councillor Ross Pigdon

Councillor Les Price

Councillor Ian Dennis

Councillor Ron Hogben

Councillor Pixie Pigdon

Councillor Fred Spindler

STAFF:

Mr Rob Madson, Chief Executive Officer

Mrs Noelene Meredith, Manager Corporate & Community Services

Mr Richard Towell, Manager Finance

Mr John Curtin, Manager Works & Services

GALLERY:

Mr Travis Bate, RMD Bird Cameron

Mr Linton Mincherton

2. PUBLIC QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Cr Leonie Fitzpatrick

4. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

5. REPORTS

5.1 2015/16 ANNUAL REPORT	
APPLICANT:	Shire of Cue
FILE:	
DISCLOSURE OF INTEREST:	None
AUTHOR:	Richard Towell - Manager Finance
DATE:	1 December 2016.
Matters for Consideration:	
The 2015/16 Annual Report and Management Report are presented (refer to Appendices 1 & 2) to Council for accepting.	
Background:	
Council has an obligation under the <i>Local Government Act 1995</i> to prepare an Annual Report and to present the report to the community.	
Comments:	
<p>The 2015/16 Annual Report includes:</p> <ul style="list-style-type: none"> • Shire President's Report • Chief Executive Officer's Report – including Statutory Reports • Audited Financial Statements • Auditor's Report <p>The report outlines the activities undertaken during 2015/16 together with the financial position of the Shire of Cue as at 30th June 2016.</p> <p>There were no statutory non-compliance matters raised in the Auditor's Report.</p> <p>The Chief Executive Officer has set the date for the Annual General Meeting of Electors to be held on Tuesday 20th December 2016 at 6.30 pm in the Council Chambers and given local public notice in accordance with section 5.29 of the Local Government Act 1995 to this effect.</p>	
Statutory Environment:	
<p>Local Government Act 1995</p> <p>Subdivision 4 – Electors' meetings</p> <p>5.26. Term used: electors</p> <p>In this Subdivision —</p> <p>electors includes ratepayers.</p>	

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.

5.29. Convening electors' meetings

(1) The CEO is to convene an electors' meeting by giving —

- (a) at least 14 days' local public notice; and
- (b) each council member at least 14 days' notice,

of the date, time, place and purpose of the meeting.

(2) The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.

5.30. Who presides at electors' meetings

(1) The mayor or president is to preside at electors' meetings.

(2) If the circumstances mentioned in section 5.34(a) or (b) apply the deputy mayor or deputy president may preside at an electors' meeting in accordance with that section.

(3) If the circumstances mentioned in section 5.34(a) or (b) apply and —

- (a) the office of deputy mayor or deputy president is vacant; or
- (b) the deputy mayor or deputy president is not available or is unable or unwilling to perform the functions of mayor or president,

then the electors present are to choose one of the councillors present to preside at the meeting but if there is no councillor present, able and willing to preside, then the electors present are to choose one of themselves to preside.

5.31. Procedure for electors' meetings

The procedure to be followed at, and in respect of, electors' meetings and the methods of voting at electors' meetings are to be in accordance with regulations.

5.32. Minutes of electors' meetings

The CEO is to —

- (a) cause minutes of the proceedings at an electors' meeting to be kept and preserved; and
- (b) ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors' meeting are first considered.

5.33. Decisions made at electors' meetings

(1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —

(a) at the first ordinary council meeting after that meeting; or

(b) at a special meeting called for that purpose,

whichever happens first.

(2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

Division 5 — Annual reports and planning

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

(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.*

5.55. Notice of annual reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

5.56. Planning for the future

- (1) *A local government is to plan for the future of the district.*
- (2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

Division 3 — Conduct of audit*7.9. Audit to be conducted*

- (1) *An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —*
- (a) *the mayor or president; and*
- (b) *the CEO of the local government; and*
- (c) *the Minister.*
- (2) *Without limiting the generality of subsection (1), where the auditor considers that*
- (a) *there is any error or deficiency in an account or financial report submitted for audit; or*
- (b) *any money paid from, or due to, any fund or account of a local government has been or may have been misapplied to purposes not authorised by law; or*
- (c) *there is a matter arising from the examination of the accounts and annual financial report that needs to be addressed by the local government, details of that error, deficiency, misapplication or matter, are to be included in the report by the auditor.*
- (3) *The Minister may direct the auditor of a local government to examine a particular aspect of the accounts and the annual financial report submitted for audit by that local government and to —*
- (a) *prepare a report thereon; and*
- (b) *forward a copy of that report to the Minister, and that direction has effect according to its terms.*

- (4) *If the Minister considers it appropriate to do so, the Minister is to forward a copy of the report referred to in subsection (3), or part of that report, to the CEO of the local government to be dealt with under section 7.12A.*

Local Government (Administration) Regulations 1996

Part 3 — Electors’ meetings

15. Matters to be discussed at general meeting (Act s. 5.27(3))

For the purposes of section 5.27(3), the matters to be discussed at a general electors’ meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.

17. Voting at meeting (Act s. 5.31)

- (1) *Each elector who is present at a general or special meeting of electors is entitled to one vote on each matter to be decided at the meeting but does not have to vote.*
- (2) *All decisions at a general or special meeting of electors are to be made by a simple majority of votes.*
- (3) *Voting at a general or special meeting of electors is to be conducted so that no voter’s vote is secret.*

18. Procedure at meeting (Act s. 5.31)

Subject to regulations 15 and 17, the procedure to be followed at a general or special meeting of electors is to be determined by the person presiding at the meeting.

Policy Implications:	
Nil	
Financial Implications:	
Nil	
Strategic Implications:	
Nil	
Consultation:	
Rob Madson – Chief Executive Officer	

