

SHIRE OF BRUCE ROCK

MINUTES – SPECIAL COUNCIL MEETING 22 DECEMBER 2021

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SHIRE OF BRUCE ROCK

MINUTES – SPECIAL MEETING 22 DECEMBER 2021

1. Declaration of Opening

The Shire President Cr SA Strange declared the meeting open at 4.40pm

2. Record of Attendance / Apologies / Leave of Absence (Previously Approved)

President	Cr SA Strange
Deputy President	Cr AR Crooks
Councillors	Cr R Rajagopalan
	Cr KP Foss
	Cr PG Negri
	Cr BJ Waight
	Cr RA Waye
Chief Executive Officer	Mr DRS Mollenoyux
Deputy Chief Executive Officer	Mr A O’Toole
Executive Assistant	Mrs MJ Schilling
Manager of Finance	Mrs JL Bow
Apology	Cr J Verhoogt
	Cr NC Kilminster

3. Declaration of Purpose of Meeting

4. Declarations of Interest

In accordance with Section 5.65 of the Local Government Act 1995 the following disclosures of **financial** interest were made at the Council meeting.

Date	Name	Item No	Reason

In accordance with Section 5.65 of the Local Government Act 1995 the following disclosures of **Closely Association Person and Impartiality** interest were made at the Council meeting.

Date	Name	Item No	Reason

In accordance with Section 5.60B and 5.65 of the Local Government Act 1995 the following disclosures of **Proximity** interest were made at the Council meeting.

Date	Name	Item No	Reason

5. Response to Previous Public Questions Taken on Notice

6. Public Question Time

7. Announcements by Presiding Member

8. Reports of Officers

8.1 Manager of Finance

Agenda Reference and Subject:	
8.1.1	Acceptance of Audit Report for year ending 30 June 2021
File Reference:	8.2.6.2 Annual Financial Statements
Reporting Officer:	Jennifer Bow, Manager of Finance Officer
Author:	Jennifer Bow, Manager of Finance Officer
Disclosure of Interest:	Nil
Attachments:	<i>Item 8.1.1 Attachment A – Audit Report for year ending 30 June 2021</i>

Summary

The Audit Committee has recommended that Council adopts the Audit Report for the year ended 30 June 2021.

Background

At the completion of the Annual Audit, the Auditor prepares an Audit Report and a Management Letter outlining any areas or issues that Council needs to address.

Comment

The Audit Committee has received the Management Letter and directed the CEO to ensure that the findings are actioned in accordance with the recommendations from the OAG.

The Audit Committee has received the Audit Report for the year ending 30 June 2021 and recommends that Council receive the Audit report for the year ending 30 June 2021.

Consultation

Darren Mollenoyux, Chief Executive Officer
Alan O’Toole, Deputy Chief Executive Officer
Jennifer Bow, Manager of Finance
Kien Neoh, Financial Audit Director, Office of the Auditor General
Robert Hall, Director, Butler Settineri (OAG Contract Auditors)

Statutory Implications

Audit Report - *Local Government Act 1995* s. 7.9 and *Local Government (Audit) Regulations 1996* r.10.

s7.9. 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.*

Policy Implications

Nil

Risk Implications

Risk: Compliance – Non-compliance with relevant sections and regulations of the Local Government Act 1995.

Likelihood	Consequence	Rating
Possible	Moderate	Moderate

Action / Strategy

This item has been evaluated against the Shire of Bruce Rock’s Risk Management Procedures Risk Matrix. The perceived level of risk is considered to be “Medium” risk and will be managed to mitigate the risks associated with each of the areas of the financial audit.

Financial Implications

Annual audit fee has been advised for the 2020-21 financial audit, by the OAG, is \$25,200. There is an allocation in the 2021-22 budget for this.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

Goal 12 - Council leads the organisation in a strategic and flexible manner.

Voting Requirements

Simple Majority

COUNCIL DECISION

Resolution SCM Dec 21 – 8.1.1

Moved: Cr Waye

Seconded: Cr Waight

That Council receives the Audit Report for the year ended 30 June 2021.

Carried 7/0

Agenda Reference and Subject:

8.1.2 Acceptance of the Annual Report 2020-2021

File Reference:

8.2.6.1 Annual Audit

Reporting Officer:

Jennifer Bow, Manager of Finance

Author:

Jennifer Bow, Manager of Finance

Disclosure of Interest:

Attachments:

Item 8.1.2 Attachment A – Annual Report for year ending 30 June 2021

Summary

Council is asked to accept the Annual Report for the period ending 30 June 2021 and set a date for the Annual Electors' Meeting.

Background

The Annual Report for the financial year ending 30 June 2021 is to be provided to Councillors for their consideration and acceptance. The Audited Financial Statements and the Independent Audit Report are also included in the Annual Report.

Comment

Following the acceptance of the Annual Report, Council is required to give public notice of the availability of the Annual Report as soon as practicable. It must also be posted on our website within 14 days of being adopted.

It is also a requirement that a General Meeting of Electors is to be held on a day set by Council not more than 56 days after acceptance of the Annual Report, with 14 days local public notice of the meeting being given. The last day that the Annual Electors Meeting could be held is Wednesday 16 February 2022.

The Annual Report must also be published on Council's website within 14 days of being adopted by Council.

The 2020-2021 Annual Report will be distributed to Councillors at the meeting.

Consultation

Darren Mollenoyux, Chief Executive Officer
Alan O'Toole, Deputy Chief Executive Officer
Jennifer Bow, Manager of Finance
Julian Goldacre, Environmental Health Officer
Dave Holland, Manager of Works and Services

Statutory Implications

The Local Government Act 1995 Section 5.53 advises that the Annual Report is to contain the following:

- a) A report from the President;
- b) A report from the Chief Executive Officer;
- c) *Deleted*
- 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 continue in the next financial year,
- f) The financial report of the financial year;
- g) Such information as may be prescribed in relation to the payments made to employees;
- h) The auditor's report for the financial year;
- ha) a matter on which a report must be made under section 29(2) of the Disability Services Act 1993;

- 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
 - iv. such other information as may be prescribed.

The Local Government (Administration) Regulations 1996 regulation 19B has been amended to include additional information required in the annual report for the year commencing 1 July 2020;

- a) Number of employees entitled to annual salary of \$130,000 or more;
- b) Number of employees entitled to annual salary that falls within each band of \$10,000 over \$130,000
- c) Any remuneration or allowance paid under Schedule 5.1 clause 9, which refers to Standards Panels
- d) Any amount ordered under s5.110(6)(b)(iv) which refers to Standards Panels
- e) Remuneration paid or provided to the CEO during the financial year
- f) Number of council and committee meetings attended by each Councillor
- g) If available, the gender, linguistic background and country of birth of council members
- h) If available, the number of councillors who are aged;
 - i. 18 to 24 years
 - ii. 25 to 34 years
 - iii. 35 to 44 years
 - iv. 45 to 54 years
 - v. 55 to 64 years
 - vi. 64 years and over
- i) If available, number of councillors who identify as Aboriginal or Torres Strait Islander;
- j) Details of any modifications to Strategic Community Plan during financial year; and
- k) Details of any modifications made to the Corporate Business Plan during the financial year.

Policy Implications

Nil

Risk Implications

Risk: That the Annual Report is not accepted by Council.		
Likelihood	Consequence	Rating
Rare	Moderate	Moderate
Action / Strategy		
It is a statutory requirement that the Annual Report is accepted by Council so that it can be submitted to the Department of Local Government and made available to the Bruce Rock Community.		

Financial Implications

Nil

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2017-2027

Governance

- Goal 10 Our organisation is well positioned and has capacity for the future
 Goal 12 Council leads the organisation in a strategic and flexible manner

Voting Requirements

Absolute Majority

Officer Recommendation

That Council;

1. Accepts the Annual Report for 2020-21 including the Audited Financial Report for period ended 30 June 2021, and that local public notice of its availability be given as soon as practicable; and
2. Holds the Annual Meeting of Electors on or before Wednesday 16 February 2022.

Council resolution varied to officer recommendation to set the date of the Annual Electors Meeting to the 4th February 2022.

COUNCIL DECISION

Resolution SCM Dec 21 – 8.1.2

Moved: Cr Rajagopalan

Seconded: Cr Crooks

That Council;

1. **Accepts the Annual Report for 2020-21 including the Audited Financial Report for period ended 30 June 2021, and that local public notice of its availability be given as soon as practicable; and**
2. **Hold the Annual Meeting of Electors on the 4th February 2022 at 4.30pm.**

CARRIED BY ABSOLUTE MAJORITY 8/0

9. Confidential Items

10. New Business of an urgent nature introduced by discussion of the meeting

11. Closure of Meeting

The Shire President Stephen Strange thanked everyone for their attendance and declared the meeting closed at 5.08pm.

These minutes were confirmed at a meeting on

Cr Stephen Strange
Shire President