

**Colac Otway
SHIRE**

MINUTES

**MEETING OF SPECIAL COUNCIL
OF THE
COLAC-OTWAY SHIRE
COUNCIL**

10 SEPTEMBER 2014

at 1:00 PM

COPACC Meeting Rooms

All Council and Committee meetings are audio recorded, with the exception of matters identified as confidential items in the Agenda. This includes the public participation sections of the meetings. Audio recordings of meetings are taken to facilitate the preparation of the minutes of open Council and Committee meetings and to ensure their accuracy. In some circumstances a recording will be disclosed to a third party. Those circumstances include, but are not limited to, circumstances, such as where Council is compelled to disclose an audio recording because it is required by law, such as the Freedom of Information Act 1982, or by court order, warrant, or subpoena or to assist in an investigation undertaken by the Ombudsman or the Independent Broad-based Anti-corruption Commission.

Council will not use or disclose the recordings for any other purpose. It is an offence to make an unauthorised recording of the meeting.

_COLAC-OTWAY SHIRE SPECIAL COUNCIL MEETING

10 SEPTEMBER 2014

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MINUTES of the **MEETING OF SPECIAL COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** held at the COPACC Meeting Rooms on 10 September 2014 at 1.00pm.

1. OPENING PRAYER

Almighty God, we seek your blessing and guidance in our deliberations on behalf of the people of the Colac Otway Shire. Enable this Council's decisions to be those that contribute to the true welfare and betterment of our community.

AMEN

2. PRESENT

Cr Lyn Russell (Mayor)
Cr Michael Delahunty
Cr Stephen Hart
Cr Frank Buchanan
Cr Chris Smith
Cr Terry Woodcroft

Sue Wilkinson, Chief Executive Officer
Colin Hayman, General Manager, Corporate and Community Services
Phil Corluka, General Manager, Infrastructure and Services
Doug McNeill, Acting General Manager, Sustainable Planning and Development
Rhonda Deigan, Executive Officer

3. APOLOGIES

Cr Brian Crook, Jack Green

4. MAYORAL STATEMENT

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past and present and welcomes any descendants here today.

Colac Otway Shire encourages community input and participation in Council decisions. Council meetings provide an opportunity for the community to ask Council questions, either verbally at the meeting or in writing. As this is a Special Council Meeting, all questions asked must relate to the agenda.

Please note that Council may not be able to answer some questions at the meeting. These will be answered later.

Council meetings enable Councillors to debate matters prior to decisions being made. I ask that we all behave in a courteous manner.

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Thank you. Now 30 minutes is allowed for question time. Please remember, you must ask a question. If you do not ask a question you will be asked to sit down and the next person will be invited to ask a question. This is not a forum for public debate or statements.

1. Questions received in writing prior to the meeting (subject to attendance and time),
2. Questions from the floor.

5. QUESTION TIME

Nil

6. DECLARATION OF INTEREST

Nil

OFFICERS' REPORTS

Corporate and Community Services

SC141009-1 CERTIFICATION OF 2013/14 FINANCIAL STATEMENTS

Sue Wilkinson
Chief Executive Officer

SC141009-1

CERTIFICATION OF 2013/14 FINANCIAL STATEMENTS

AUTHOR:	Roberts Ashley	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	11/96311

Purpose

To propose that Council gives in-principle approval to the Financial Statements, Standard Statements and Performance Statement for the year ended 30 June 2014 and authorise two Councillors to certify them.

Declaration of Interests

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

BackgroundAnnual Report

Section 131(7) and (8) of the *Local Government Act 1989*;

- “(7) *The Council must not submit the standard statements or the financial statements to its auditor or the Minister unless it has passed a resolution giving its approval in principle to the standard statements and the financial statements.*
- (8) *The Council must authorise 2 Councillors to certify the standard statements and the financial statements in their final form after any changes recommended or agreed to by the auditor have been made.*”

Performance Statement

Section 132(6) and (7) of the *Local Government Act 1989*;

- “(6) *The Council must not submit the statement to its auditor or the Minister unless the Council has passed a resolution giving its approval in-principle to the statement.*
- (7) *The Council must authorise 2 Councillors to approve the statement in its final form after any changes recommended or agreed to by the auditor have been made.*”

Council’s Audit Committee considered the Draft 2013/14 Financial Statements, 2013/2014 Standard Statements and 2013/2014 Performance Statements for review and feedback at their meeting held on 2 September 2014.

The Audit Committee resolved to adopt in principle the various statements being the amended 2013/2014 Financial Statements, the Standard Statements and the Performance Statement.

The resolution from the Audit Committee also included that the Audit Committee recommends to Council that Councillors Stephen Hart and Michael Delahunty sign the final amended statements on behalf of Council.

Council Plan / Other Strategies / Policy**Good Governance**

Means we care about and are responsive to the community, encourage democratic participation and involve people in decisions that affect them. We strive for excellence in financial management and council services, and always look for better ways to do things.

Our Goal:

Ensure transparency of governance practices, the capability of our organisation and effective resource management.

Issues / Options

As the Statements are still subject to review and amendment by the Auditor-General's office, any amendments will be incorporated into the final statements.

Proposal

The Statements were reviewed by Council's Auditors during their visit in the week commencing 4 August 2014 and were reviewed by the Audit Committee on 2 September 2014.

A copy of the Statements has been provided to Councillors.

It is recommended that Council certify the Statements 'In-Principle'.

Financial and Other Resource Implications

The Statements need to be certified by Council to ensure the Financial Statements are forwarded to the Minister by the statutory deadline of 30 September 2014 as part of Council's Annual Report.

Risk Management & Compliance Issues

Details of the relevant sections of the *Local Government Act* are included under the background to this report.

Environmental and Climate Change Considerations

Not applicable.

Community Engagement

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The Financial Statements have undergone extensive review by staff, the Council's External Auditor and the Audit Committee.

Implementation

The finalisation of the Financial Statements needs to be completed prior to the 30 September 2014.

Conclusion

It is recommended that Council certify the Statements 'In-Principle'.

Attachments

Nil

Resolution**MOVED Cr Stephen Hart seconded Cr Frank Buchanan****That Council:**

1. **Adopts the 2013/2014 Financial Statements 'In-Principle' in accordance with section 131(7) Local Government Act 1989.**
2. **Adopts the 2013/2014 Standard Statements 'In-Principle' in accordance with section 131(7) Local Government Act 1989.**
3. **Adopts the 2013/2014 Performance Statement 'In-Principle' in accordance with section 132(6) Local Government Act 1989.**
4. **Pursuant to section 131(8) and section 132(7) of the Local Government Act 1989, Council authorises Councillors Stephen Hart and Michael Delahunty to certify the 2013/2014 Statements in their final form after any changes recommended or agreed to, by the auditors, have been made.**

AMENDMENT - MOVED Cr Michael Delahunty seconded Cr Terry Woodcroft:**That the word "auditors" in point 4. be changed to "agents of the Auditor General"****CARRIED: 6 : 0****MOVED Cr Stephen Hart seconded Cr Frank Buchanan****That Council:**

1. **Adopts the 2013/2014 Financial Statements 'In-Principle' in accordance with section 131(7) Local Government Act 1989.**
2. **Adopts the 2013/2014 Standard Statements 'In-Principle' in accordance with section 131(7) Local Government Act 1989.**
3. **Adopts the 2013/2014 Performance Statement 'In-Principle' in accordance with section 132(6) Local Government Act 1989.**
4. **Pursuant to section 131(8) and section 132(7) of the Local Government Act 1989, Council authorises Councillors Stephen Hart and Michael Delahunty to certify the 2013/2014 Statements in their final form after any changes recommended or agreed to, by the agents of the Auditor General, have been made.**

CARRIED 5 : 1**DIVISION called by Cr Stephen Hart****For the Motion: Cr Stephen Hart, Cr Lyn Russell, Cr Terry Woodcroft, Cr Michael Delahunty, Cr Frank Buchanan****Against the Motion: Cr Chris Smith**

The Meeting Was Declared Closed at 1.25pm

CONFIRMED AND SIGNED at the meeting held on 24 SEPTEMBER 2014

Lyn E Russell
.....MAYOR