

**Colac Otway
SHIRE**

MINUTES

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

14 SEPTEMBER 2011

at 1.00pm

COPACC MEETING ROOMS

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting. In some circumstances the recording may be disclosed, such as where Council is compelled to do so by court order, warrant, subpoena or by any other law, such as the Freedom of Information Act 1982.

COLAC-OTWAY SHIRE SPECIAL COUNCIL MEETING

14 SEPTEMBER 2011

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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 14 September 2011 at 1.00pm.

1. OPENING PRAYER

2. PRESENT

Cr Brian Crook (Mayor)
Cr Frank Buchanan
Cr Lyn Russell
Cr Stephen Hart
Cr Stuart Hart
Cr Geoff Higgins
Cr Chris Smith

Rob Small, Chief Executive Officer
Colin Hayman, General Manager, Corporate and Community Services
Neil Allen, General Manager, Infrastructure and Services
Jack Green, General Manager, Sustainable Planning and Development
Brett Exelby, Manager Finance and Customer Services
Rhonda Deigan, Executive Officer

3. APOLOGIES

Nil

4. MAYORAL STATEMENT

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

Colac Otway Shire encourages active community input and participation in Council decisions. Council meetings provide one of these opportunities as members of the community may ask questions to Council either verbally at the meeting or in writing.

Questions asked today must relate to the Special Council Meeting Agenda, the Certification of 2010/2011 Financial Statements.

Questions made in writing will be addressed if received within two days of the Council meeting. Please note that some questions may not be able to be answered at the meeting, these questions will be taken on notice. Council meetings also enable Councillors to debate matters prior to decisions being taken.

I ask that we all show respect to each other and respect for the office of an elected representative.

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Thank you, now question time. 30 minutes is allowed for question time.

I remind you that you must ask a question, if you do not have 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
2. Questions from the floor

5. QUESTION TIME

Nil

6. DECLARATION OF INTEREST

Nil

OFFICERS' REPORTS

Corporate and Community Services

SC111409-1 CERTIFICATION OF 2010/2011 FINANCIAL STATEMENTS

Rob Small
Chief Executive Officer

SC111409-1

CERTIFICATION OF 2010/2011 FINANCIAL STATEMENTS

AUTHOR:	Brett Exelby	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	GEN0392

Purpose

To propose that Council gives in-principle approval to the Financial Statements, Standard Statements and Performance Statement for the year ended 30 June 2011 and authorise two Councillors to certify them once they are finalised.

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) 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 2010/2011 Financial Statements, 2010/2011 Standard Statements and 2010/2011 Performance Statements for review and feedback at their meeting held on 12 September 2011.

The recommendation to the Audit Committee was to adopt 'In-Principle' the Financial Statements, the Standard Statements and the Performance Statement for 2010/11.

The recommendation to the Audit Committee also included that Councillors Stephen Hart and Stuart Hart sign the statements on Council's behalf.

Council Plan / Other Strategies / Policy**Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

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 Auditor's Coffey Hunt during their visit in the week ending 26 August 2011 and were reviewed by the Audit Committee on 12 September 2011.

A copy of the Draft Statements has been provided to Councillors.

Subject to any significant Statement amendments, it is recommended that Council certify the Statements 'In-Principle'.

Financial and Other Resource Implications

The Draft Statements need to be certified by Council to ensure the Financial Statements are forwarded to the Minister by the statutory deadline of 30 September 2011 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

Not applicable.

Implementation

Prior to the 30 September 2011 deadline for completion and signing of the Statements.

Conclusion

Subject to any significant amendments it is recommended that Council certify the Statements 'In-Principle'.

Attachments

Nil

Resolution

MOVED Cr Stephen Hart seconded Cr Lyn Russell

That Council:

- 1. Adopts the 2010/2011 Financial Statements 'In-Principle' subject to further adjustments required by audit in accordance with Section 131(7) Local Government Act 1989.***
- 2. Adopts the 2010/2011 Standard Statements 'In-Principle' subject to further adjustments required by audit, in accordance with Section 131(7) Local Government Act 1989.***
- 3. Adopts the 2010/2011 Performance Statement 'In-Principle' subject to further adjustments required by audit 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 Stuart Hart to certify the 2010/2011 Statements in their final form after any changes recommended, or agreed to, by the auditors have been made.***

CARRIED 6 : 1

DIVISION called by Cr Stuart Hart

For the Motion: Cr Brian Crook, Cr Geoff Higgins, Cr Frank Buchanan, Cr Stuart Hart, Cr Lyn Russell, Cr Stephen Hart

Against the Motion: Cr Chris Smith

The Meeting Was Declared Closed at 1.15 pm

CONFIRMED AND SIGNED at the meeting held on 28 SEPTEMBER 2011


.....MAYOR

