



MINUTES OF SPECIAL COUNCIL MEETING HELD 5 FEBRUARY 2008

I hereby certify that the Minutes of the Special Meeting of Council held 5 February 2008 are a true and accurate record of the proceedings contained therein.

Shire President Confirmed

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 5:00pm.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Cr Michele Pucci	Shire President
Cr Di Ausburn	Councillor
Cr John Buchanan	Councillor
Cr Paul Caley	Councillor
Cr Fred Mills	Councillor
Cr Jane Parker	Councillor
Cr Keith Wright	Councillor

Mr Alex Douglas	Acting Chief Executive Officer
Ms Jo-Anne Ellis	Executive Manager of Corporate Services
Ms Amanda Trengove	Manager Financial Services
Ms Fiona Kuiper	Executive Support Officer and Minute Taker

APOLOGIES

Cr Ralph Addis	Councillor
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LEAVE OF ABSENCE

Cr John Moulden	Councillor
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PUBLIC GALLERY

Ms Kate Knickel

3. DECLARATION OF:

- Financial Interest - Nil
- Members Impartiality Interest - Nil
- Proximity Interest - Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL DECISION

Minute No. 8063

Moved: Cr K Wright

Seconded: Cr J Parker

That Cr F Mills be granted a leave of absence for the Ordinary Meeting of Council 15 April 2008.

Carried Unanimously 7/0

7 BUSINESS OF MEETING

7.1 Shire of Wyndham East Kimberley Annual Report 2006/07

DATE:	5 February 2008
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	60.27.01
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider acceptance of the Shire of Wyndham East Kimberley 2006/07 Annual Report.

BACKGROUND

At its Ordinary Meeting of Council Tuesday 22 January 2008 Council resolved:

“That due the unavailability of the Auditor’s report at this time, Council convene a Special Meeting of Council to held at 5pm Tuesday 5 February 2008, immediately prior to Council’s scheduled Briefing Session to consider acceptance of the 2006/07 Annual Report, enabling the Annual Report to be made available to the public for 14 days priors the Annual Electors Meeting to be held on 19 February 2008.”

STATUTORY IMPLICATIONS

LOCAL GOVERNMENT ACT 1995 - SECT 5.27

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

LOCAL GOVERNMENT ACT 1995 - SECT 5.53

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;
 - (b) a report from the CEO;
 - (c) a report of the principal activities commenced or continued during the financial year;
 - (d) an assessment of the local government’s performance in relation to each principal activity;

- (e) an overview of the principal activities that are proposed to commence or to continue in the next financial year;
- (f) the financial report for 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*; and
- (l) such other information as may be prescribed

LOCAL GOVERNMENT ACT 1995 - SECT 5.54

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.
 - (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
- LOCAL GOVERNMENT ACT 1995 - SECT 5.55

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.

LOCAL GOVERNMENT ACT 1995 - SECT 7.9

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;
 - (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 authorized by law,Details of that error, deficiency or misapplication 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.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

COMMENT

Nil

ATTACHMENTS

Annual Report 2006/07 provided under separate cover.

VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION

That Council accept the Shire of Wyndham East Kimberley Annual Report for 2006/07.

COUNCIL DECISION

Minute No. 8064

Moved: Cr J Parker

Seconded: Cr P Caley

That Council accept the Shire of Wyndham East Kimberley Annual Report for 2006/07.

Carried by Absolute Majority 7/0

8. CLOSURE OF MEETING

With all matters of business complete the Shire President declared the meeting closed at 5:12pm.