



**Shire of Derby /  
West Kimberley**

# **MINUTES**

## **Compliance and Strategic Review Committee Meeting Thursday, 18 April 2019**

**Date: Thursday, 18 April 2019**

**Time: 10.30 am**

**Location: Council Chambers  
Clarendon Street  
Derby**





**Order Of Business**

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**MINUTES OF SHIRE OF DERBY / WEST KIMBERLEY  
COMPLIANCE AND STRATEGIC REVIEW COMMITTEE MEETING  
HELD AT THE COUNCIL CHAMBERS, CLARENDON STREET, DERBY  
ON THURSDAY, 18 APRIL 2019 AT 10.30 AM**

**PRESENT:** Cr Geoff Haerewa (Shire President), Cr Paul White (Deputy Shire President), Cr Chris Kloss, Cr Iris Prouse, Cr Andrew Twaddle, Cr Peter Coggins

**IN ATTENDANCE:** John Attwood (Acting Chief Executive Officer), Danielle Hurstfield (Manager Administration and Governance), Myra Henry (Manager Finance), Stuart Martin (Development Services), Carlie McCulloch (Governance Officer)

**VISITORS:** Nil

**GALLERY:** Nil

**APOLOGIES:** Nil

**APPROVED LEAVE OF ABSENCE:** Nil

**ABSENT:** Nil

**1 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS**

The meeting was opened at 10.30am by Shire President, Geoff Haerewa.

**2 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS**

In accordance with regulation 14A of the Local Government (Administration) Regulations 1996 Council must approve (by Absolute Majority) the attendance of a person, not physically present at a meeting of Council, by audio contact. The person must be in a 'suitable place' as approved (by absolute majority) by Council. A 'suitable place' means a place that is located in a townsite or other residential area and 150km or further from the place at which the meeting is to be held.

**3 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

Nil

**4 DISCLOSURE OF INTERESTS**

Section 5.65 and 5.70 of the *Local Government Act 1995* requires an Elected Member or officer who has an interest in any matter to be discussed at a Committee/Council Meeting that will be attended by the Elected Member or officer must disclose the nature of the interest in a written notice given to the Chief Executive Officer before the meeting; or at the meeting before the matter is discussed.

An Elected Member who makes a disclosure under section 5.65 or 5.70 must not preside at the part of the meeting relating to the matter; or participate in; or be present during, any discussion or decision making procedure relating to the matter, unless allowed by the Committee/Council. If Committee/Council allow an Elected Member to speak, the extent of the interest must also be stated.

**4.1 Declaration of Financial Interests**

Nil

**4.2 Declaration of Proximity Interests**

Nil

**4.3 Declaration of Impartiality Interests**

Nil

**5 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**COMMITTEE RESOLUTION CSRC15/19**

**Moved: Cr Chris Kloss**

**Seconded: Cr Andrew Twaddle**

**That the Minutes of the Compliance and Strategic Review Committee Meeting held at the Council Chambers, Clarendon Street, Derby, on 11 April 2019 be CONFIRMED.**

In Favour: Crs Peter Coggins, Geoff Haerewa, Chris Kloss, Iris Prouse and Andrew Twaddle

Against: Nil

**CARRIED 5/0**

## 6 REPORTS

*Cr Paul White entered the room at 10.35am.*

### 6.1 ANNUAL FINANCIAL REPORT 2017-18

**File Number:** 5151

**Author:** Myra Henry, Manager Finance

**Responsible Officer:** John Attwood, Acting Chief Executive Officer

**Authority/Discretion:** Executive

#### SUMMARY

For the Compliance and Strategic Review Committee to consider and accept the 2017-18 Annual Financial Report and Auditor's Report and recommend adoption by Council.

#### DISCLOSURE OF ANY INTEREST

Nil.

#### BACKGROUND

As per the Terms of Reference adopted 25 March 2015, one of the principle objectives of the Compliance and Strategic Review Committee is to accept responsibility for the annual external audit and to liaise with the Auditor so that Council can be satisfied with the performance of the Local Government in managing its financial affairs. The Committee's duties and responsibilities in relation to the Annual Financial Report and the external audit are clearly outlined in the Terms of Reference, specifically item (k) which requires the Committee to consider and recommend adoption of the Annual Financial Report to Council.

The Annual Financial Report for the period ending 30 June 2018 is presented to the Compliance and Strategic Review Committee for consideration and recommend adoption by Council. Shire staff and Moore Stephens have been working collectively to prepare the statements ready for presentation to the auditors.

#### STATUTORY ENVIRONMENT:

##### Local Government (Financial Management) Regulations 1996

51. Annual financial report to be signed etc. by CEO and given to Department

- 1) *After the annual financial report has been audited in accordance with the Act the CEO is to sign and append to the report a declaration in the form of Form 1.*
- 2) *A copy of the annual financial report of a local government is to be submitted to the Departmental CEO within 30 days of the receipt by the local government's CEO of the auditor's report on that financial report.*
- 3) *Local Government Act 1995*

##### 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 —*

(f) *the financial report for the financial year;*

#### 5.54. Acceptance of annual reports

- (3) 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.

- (4) 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.

Division 3 — Reporting on activities and finance

#### 6.4. Financial report

- (1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.
- (2) The financial report is to —
- (a) be prepared and presented in the manner and form prescribed; and
  - (b) contain the prescribed information.
- (3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —
- (a) the accounts of the local government, balanced up to the last day of the preceding financial year; and
  - (b) the annual financial report of the local government for the preceding financial year.

#### POLICY IMPLICATIONS

There are no policy implications that relate to this report.

#### FINANCIAL IMPLICATIONS

The Annual Financial Statements set out the operating results for the Shire for the year ended 30 June 2018 and the assets and liabilities as at that date, together with other relevant financial information.

#### STRATEGIC IMPLICATIONS

GOAL	OUTCOME	STRATEGY
4: Good governance and an effective organisation  Leadership that provides strategic direction for the community, supported by efficient and effective	4.1: Effective governance and leadership	4.1.3: Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting their role

service delivery		
4: Good governance and an effective organisation  Leadership that provides strategic direction for the community, supported by efficient and effective service delivery	4.1: Effective governance and leadership	4.1.4: Ensure governance policies and procedures are in accordance with legislative requirements

### RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<b>Legal &amp; Compliance:</b> Failure to prepare and adopt the Annual Financial Report would result in non-compliance with its statutory responsibilities under the Local Government Act 1995	Rare	Moderate	Low	Accept officer recommendation

### CONSULTATION

Moore Stephens (WA) Pty Ltd

Shire Staff

There is no legislative requirement to consult on the preparation of the Annual Financial Report, but the Local Government Act 1995 requires a General Meeting of Electors to be held and the Shire's Annual Report, incorporating the Annual Financial Report, to be made available publicly.

### COMMENT

Moore Stephens (WA) Pty Ltd have completed their audit of Council's affairs for the financial year ended 30 June 2017 and the Audit Report and Management Report will be provided under separate cover.

Attachments to be provided under separate cover.

### VOTING REQUIREMENT

Absolute majority

### ATTACHMENTS

Nil



**COMMITTEE RESOLUTION CSRC16/19****Moved: Cr Iris Prouse****Seconded: Cr Andrew Twaddle****That the Compliance and Strategic Review Committee BY AN ABSOLUTE MAJORITY:**

- 1. ENDORSES the 2017-18 Annual Financial Report of the Shire of Derby/West Kimberley and the accompanying 2017-18 Audit Report, as attached to this report, and recommends adoption by Council;**
- 2. NOTES the Auditor's Management Report to the Compliance and Strategic Review Committee for the year ended 30 June 2018 supplied by Council's Auditor, Mr Greg Godwin of Moore Stephens (WA) Pty Ltd.**
- 3. If required the Compliance and Strategic Review Committee will prepare and provide a report to the Minister within 3 months addressing any significant matters identified in Auditor's Management Report stating what actions the Shire will take to resolve the significant issues.**
- 4. NOTES the response from management to the items raised in the auditors Management Report.**

**In Favour: Crs Peter Coggins, Geoff Haerewa, Chris Kloss, Iris Prouse, Andrew Twaddle and Paul White**

**Against: Nil**

**CARRIED 6/0 BY ABSOLUTE MAJORITY**

**7 NEW BUSINESS OF AN URGENT NATURE**

**8 DATE OF NEXT MEETING**

The next meeting of Compliance and Strategic Review Committee will be held Thursday, 16 May 2019 in the Council Chambers, Clarendon Street, Derby.

**9 CLOSURE OF MEETING**

The Presiding Member closed the meeting at 11.42am.

**These minutes were confirmed at a meeting on**  
.....

**Signed:** .....

**Presiding Person at the meeting at which these minutes were confirmed.**

**Date:** .....