



To: His Worship the Mayor and Councillors

Please be advised that a Special Council Meeting will be held at 6.30pm on Tuesday 29 November 2011 in the Council Chambers, Administration Centre, 99 Shepperton Road, Victoria Park.

PLEASE BE ADVISED THAT A MEAL WILL BE PROVIDED PRIOR TO THE MEETING.

A handwritten signature in black ink, appearing to read "A Vuleta".

**ANTHONY VULETA
ACTING CHIEF EXECUTIVE OFFICER**

25 November 2011

Special Council Meeting
Council Chambers, 99 Shepperton Road, Victoria Park
Tuesday, 29 November 2011
6.30pm

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1 OPENING AND PRAYER

Almighty God, under whose providence we hold responsibility for this Town, grant us wisdom to understand its present needs, foresight to anticipate its future growth and grace to serve our fellow citizens with integrity and selfless devotion.

And to Thee, be all blessing and glory forever.

AMEN

Acknowledgement of Country (by Mayor)

I would like to show my respect and acknowledge the traditional custodians of the land on which this meeting takes place, the Nyoongar people.

2 ATTENDANCE AND APOLOGIES

Attendance:

Mayor: Mr T (Trevor) Vaughan

Banksia Ward: Cr C (Claire) Anderson
Cr K (Keith) Hayes

Jarraah Ward: Cr D (David) Ashton
Cr D V (Vin) Nairn
Cr V (Vicki) Potter

Chief Executive Officer: Mr A (Arthur) Kyron

Directors: Mr B (Brian) Callander
Ms R (Rochelle) Lavery
Ms T (Tina) Ackerman

Acting Director: Mr W (Warren) Bow

Secretary: Ms K (Kathleen) Highfield

Public:

Apologies: Cr R (Rowena) Skinner
Cr A (Adam) Vilaca
Mr A (Anthony) Vuleta

Leave of Absence

Cr J (John) Bissett (Deputy Mayor)

3 DECLARATION OF INTEREST

Declarations of interest are to be made in writing prior to the commencement of the Meeting, (a form to assist Elected Members and Staff is attached at the end of this Agenda).

Disclosure of Financial Interests

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees are able to continue to provide advice to the Council in the decision making process if they have disclosed their interest.

Name/Position	
Item No/Subject	
Nature of Interest	
Extent of Interest	

Disclosure of Interest affecting impartiality

Elected Members (in accordance with Regulation 11 of the *Local Government [Rules of Conduct] Regulations 2007*) and employees (in accordance with the Code of Conduct) are required to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected Member/employee is also encouraged to disclose the nature of the interest.

Name/Position	
Item No/Subject	
Nature of Interest	
Extent of Interest	

4 PUBLIC QUESTION TIME AND PUBLIC STATEMENT TIME (ITEMS RELATING TO THIS AGENDA PUBLIC QUESTION ONLY)

(Please Note: Section 7(4)(b) of the *Local Government (Administration) Regulations 1996* states that a Council at a special meeting is not required to answer a question that does not relate to the purpose of the meeting. It is requested that only questions that relate to items on the agenda be asked.)

5 BUSINESS

5.1 Adoption of the 2010/11 Annual Report

File Ref:	ADM0058	In Brief <ul style="list-style-type: none">• The 2010/11 Annual Report is presented in draft form for acceptance by Council.• Recommend that the draft Annual Report be accepted.
Appendices:	Yes	
Date:	29 November 2011	
Reporting Officer:	Kai Norrish	
Responsible Officer:	Arthur Kyron	

TABLED ITEMS:

- Nil

BACKGROUND:

In accordance with Section 5.53 and 5.54 of the *Local Government Act 1995* the Council is to prepare an annual report for each financial year and this report – unless the auditor's report is not available – is to be accepted by Council no later than 31 December 2011.

DETAILS:

The draft Annual Report for the 2010/11 financial year which includes the matters prescribed by s.5.53(2) of the Act is contained within the Appendices.

Items the Annual Report must include are:

- Report from the Mayor
- Report from the CEO;
- Overview of the Plan for the Future;
- The Financial Report for the financial year;
- The Auditor's Report for the financial year;
- A report under section 29(2) of the Disability Services Act 1993;
- The number of official complaints recorded in the register; and how the recorded complaints were dealt with; and
- The number of employees of the local government entitled to an annual salary of \$100,000 or more; and the number of employees which falls within each band of \$10,000 over \$100,000.

The Chief Executive Officer is to give local public notice of the availability of the Annual Report as soon as practicable after the report has been accepted by Council (s.5.55).

Legal Compliance:

Section 5.53 of the *Local Government Act 1995* prescribes the requirements that a local government must comply with when considering its annual report as shown hereunder:

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), (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 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;*
 - (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;*
 - (ii) *how the recorded complaints were dealt with; and*
 - (iii) *any other details that the regulations may require;**and*
 - (i) *such other information as may be prescribed.*

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.*

** Absolute majority required.*

- (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.*

Policy Implications:

Nil

Strategic Plan Implications:

Nil

Financial Implications:

Internal Budget:

The design and production of printed and electronic copies, approximate cost of \$4,000 to be funded from GL 501500.540.3159

Total Asset Management:

Nil

Sustainability Assessment:

External Economic Implications:

Nil

Social Issues:

Nil

Cultural Issues:

Nil

Environmental Issues:

Nil

COMMENT:

The following is the proposed schedule of events leading up to the Annual Meeting of Electors, to be held on Tuesday 20 December 2011.

29 November 2011	Audited Financial Statements and presentation of Annual Report accepted by Council.
6 December 2011	Local Public Notice of Annual Meeting of Electors (at least 14 days' notice required) and availability of the Annual Report.
20 December 2011	Annual General Meeting of Electors (6.30pm)

The final draft of the general and financial sections that includes reports and statistics from the Mayor, CEO, Directorates and financials is contained within the Appendices. The Auditor's Report is not yet available; it will be tabled at the Special Council Meeting. The final approved and designed version of the Annual Report 2010/11, including the Auditor's Report, will be available to the public prior to the General Meeting of Electors.

RESPONSIBLE OFFICER RECOMMENDATION:

That the draft 2010/11 Annual Report, which is contained within the Appendices, be accepted.

(Absolute Majority Required)

6 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

7 CLOSURE



Town of Victoria Park

DECLARATION OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY

To: **CHIEF EXECUTIVE OFFICER
TOWN OF VICTORIA PARK**

Name & Position	
Meeting Date	
Item No/ Subject	
Nature of Interest	Financial Interest* Interest that may affect impartiality* <i>(*Delete where not applicable)</i>
Extent of Interest	
Signature	
Date	

Section 5.65(1) of the Local Government Act 1995 states that:

“A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by that member must disclose the nature of the interest:

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed”.