



Shire of Ngaanyatjaraku
ON A JOURNEY

AUDIT COMMITTEE MEETING

MINUTES

**Tjulyuru Cultural and Civic Centre
Warburton Community**

27 February 2019

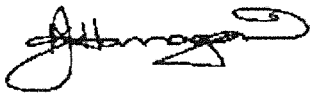
at

1.00 pm

SHIRE OF NGAANYATJARRAKU

AUDIT COMMITTEE MEETING

The Acting Chief Executive Officer recommends the endorsement of these minutes at the next Audit Committee Meeting.

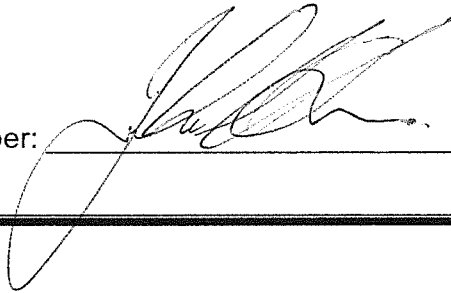


Date: 27-2-2019

Acting Chief Executive Officer

These minutes were confirmed by Audit Committee as a true and correct record of proceedings of the Meeting of the Audit Committee held on the 27 February 2019.

Presiding Member: _____



Date: 2016/1/9

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1. DECLARATION OF OPENING

The Presiding Member declared the meeting open at 1.00 pm.

2. ANNOUNCEMENT OF VISITORS

The Presiding Member welcomed members of the public to the gallery.

3. ATTENDANCE

3.1 PRESENT

Elected Members:	President Deputy President Councillor Councillor Councillor Councillor	D McLean P Thomas (by telephone) A Bates J Frazer L West A Jones
Staff:	Kevin Hannagan Kerry Fisher	Acting Chief Executive Officer Director Corporate Services
Guests:		
Members of Public:	There were no members of the public in attendance at the commencement of the meeting.	

3.2 APOLOGIES

Cr. D Frazer

3.3 APPROVED LEAVE OF ABSENCE

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4.2 PUBLIC QUESTION TIME

5. APPLICATIONS FOR LEAVE OF ABSENCE

6. DECLARATION BY MEMBERS

6.1 DUE CONSIDERATION BY COUNCILLORS TO THE AGENDA

Councillors are requested to give due consideration to all matters contained in the Agenda presently before the meeting.

6.2 DECLARATIONS OF INTEREST

Councillors to Note

A member who has an Impartiality, Proximity or Financial Interest in any matter to be discussed at a Council or Committee Meeting, that will be attended by the member, must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting or;
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (a) Preside at the part of the Meeting, relating to the matter or;
- (b) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under *Section 5.68 or Section 5.69 of the Local Government Act 1995*.

NOTES ON DECLARING INTERESTS (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have an interest in a matter.

These notes are included in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
 - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under *s.5.68(1)(b)(ii) or the Local Government Act*, or
 - 6.2 Where the Minister allows the Councillor to participate under *s.5.69(3) of the Local Government Act*, with or without conditions.

Declarations of Interest provided:

Item Number/ Name	Type of Interest	Nature/Extent of Interest
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Nil		

7. TERMS OF REFERENCE

Under the Local Government Act 1995, Local Governments are required to appoint an Audit Committee (section 7.1A of the Local Government Act 1995).

An Audit and Risk Committee is to provide guidance and assistance to the Local Government – as to the carrying out of its functions in relation to audits carried out

under Part 7 of the Act and as to the development of a process to be used to select and appoint a person to be an auditor and may provide guidance and assistance to the Local Government as to – matters to be audited, the scope of audits, its functions under Part 6 of the Act and the carrying out of its functions relating to other audits and other matters related to financial management (clause 16 Local Government (audit) Regulations 1996).

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 MINUTES OF COMMITTEE MEETING HELD

The last Audit Committee held was 31 March 2015 and there are no Minutes available to Confirm.

9. AGENDA REPORTS

9.1 COMPLIANCE AUDIT RETURN 2018

FILE REFERENCE:	FM.02
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Acting Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	21 January 2019
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interests in the proposal.

Summary

Each Local Government is to carry out a Compliance Audit annually. This Compliance Audit Return is for the period of 1 January 2018 to 31 December 2018.

The Return for the year 2018 is presented to the Audit Committee for review and approval, prior to presentation to Council for Adoption.

Background

The Compliance Audit Return is to assist Council in monitoring its organisational functions.

Council is required to note any areas of non-compliance and endorse remedial action. The Audit is provided by the Department of Local Government through their secure website platform named Smart Hub. The same audit is required to be completed by every WA local government. The Department considers, from a large range of issues it can audit, which ones will be specific to the year in question (i.e. each year the audit questions can change).

Comment

For 2018, there were 95 questions over 9 disciplines. The return is not fully compliant.

As the Acting Chief Executive Officer has not been in the position for the full calendar year, it is not known if some items are fully compliant. Additionally, in some cases records to verify compliance can not be located in the Shire's Record's Management System or Server.

The Return is required to be presented to Council for adoption before its submission to the Department of Local Government Sport and Community Industries.

Statutory Environment

Section 7.13(i) of the Local Government Act 1995

Regulations 13, 14 & 15 of the Local Government (Audit) Regulations 1996

Financial Implications

There are no known financial implications for this matter.

Strategic Implications

Integrated Strategic Plan 2018 - 2028

Goal 3, Leadership

Outcome 3.2, Good Leadership

Risk Management

This item has been evaluated against the Shire of Ngaanyatjarraku's Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is "High". The high level of risk is being driven by the risk of a compliance breach requiring further investigation by the DLGSCI.

As a high-risk matter, the Acting Chief Executive Officer and Director Corporate Services will actively monitor these matters.

Policy Implications

There are no known policy implications for this matter.

Attachments

Attachment 9.1 – Compliance Audit Return 2018.

Voting Requirement

Simple Majority

Officers Recommendation

That with respect to the Local Government Compliance Audit Return For 2018 that the Audit Committee recommend to Council, that Council:

1. Accept the Compliance Audit Return 2018 (ATTACHMENT 9.1) of the Council for the period 1 January 2018 to 31 December 2018; and
2. Request the Chief Executive Officer to submit a certified copy of the Compliance Audit Return 2018 to the Director General of the Department of Local Government Sport and Community Industries by 31 March 2018.

Officers Recommendation and Committee Resolution

Moved: Cr A Bates Seconded: Cr J Frazer

That with respect to the Local Government Compliance Audit Return For 2018 that the Audit Committee recommend to Council, that Council:

- 1. Accept the Compliance Audit Return 2018 (ATTACHMENT 9.1) of the Council for the period 1 January 2018 to 31 December 2018; and**
- 2. Request the Chief Executive Officer to submit a certified copy of the Compliance Audit Return 2018 to the Director General of the Department of Local Government Sport and Community Industries by 31 March 2018.**

Carried: 6/0

10. NEW BUSINESS OF AN URGENT NATURE AS ADMITTED BY DECISION

11. CONFIDENTIAL MATTERS

12. NEXT MEETING

TBA at the Tjulyuru Cultural and Civic Centre, Warburton Community commencing at 1:00 pm.

13. CLOSURE OF MEETING

There being no further business to discuss the Presiding Member closed the meeting at 1.05 pm.