



Shire of Pingelly

Minutes

Audit Committee Meeting
21 February 2018

SHIRE OF PINGELLY

Minutes of the Audit Committee Meeting of the Shire of Pingelly held in the Council Chambers, 17 Queen Street, Pingelly on 21 February 2018 at 11am.

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MEMBERS PRESENT

Cr WV Mulroney	President
Cr DI Freebairn	Deputy President
Cr LN Steel	
Cr EJ Hodges	
Cr JM Walton-Hassell	
Cr BW Hotham	
Cr J McBurney	
Cr P Wood	

STAFF IN ATTENDANCE

Mr G Pollock	Chief Executive Officer
Mr S Billingham	Director Corporate & Community Services
Mr B Gibbs	Director Technical Services
Mrs L Boddy	Executive Assistant

APOLOGIES

Nil

OBSERVERS & VISITORS

Nil

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chairman declared the meeting open at 11.05am.

1.1 Welcome to Country

I respectfully acknowledge the past and present traditional owners of this land on which we are meeting, the Noongar people. It is a privilege to be standing on Noongar country. I also acknowledge the contributions of Aboriginal Australians and non-Aboriginal Australians to the security and wellbeing of all the people of this country where we live and that we share together – Australia.

2. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

N/A

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

No members of the public present.

5. APPLICATIONS FOR LEAVE OF ABSENCE

N/A

6. DISCLOSURES OF INTEREST

The *Local Government Act* (Section 5.60 – 5.62) provides that it is the Councillor's obligation to declare an interest if they believe that they have a financial interest, proximity interest, closely associated persons interest or an interest affecting impartiality in a matter being discussed by Council.

The Act provides that the interest may be declared in writing to the Chief Executive Officer prior to the meeting or declared prior to discussion of the agenda item at the meeting. Forms for this purpose are available to Councillors.

The Act further provides that the extent of the interest needs to be declared if the Councillor seeks to remain in the Chamber during the discussion, debate or voting on the item.

A Councillor declaring a financial or proximity interest must leave the meeting prior to the matter being discussed or voted on (including the question as to whether they are permitted to remain in the Chamber). Councillors remaining in the Chamber may resolve to allow the member to return to the meeting to participate in the proceedings.

7. CONFIRMATION OF MINUTES AND REPORTS

7.1 Audit Committee Meeting – 13 December 2017

Statutory Environment:

Section 5.22 of the *Local Government Act* provides that minutes of all meeting to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Voting Requirements:

Simple Majority

12356 Moved: Cr Steel

Seconded: Cr Hodges

Recommendation and Council Decision:

That the Minutes of the Audit Committee of the Shire of Pingelly held in the Council Chambers on 13 December 2017 be confirmed.

Carried 8:0

8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

10.1 Compliance Audit Return 2017

File Reference: ADM0074
Location: Shire of Pingelly
Applicant: Stuart Billingham, Director Corporate & Community Services
Author: Stuart Billingham, Director Corporate & Community Services
Date: 1 February 2018
Disclosure of Interest: Nil
Attachments: Compliance Audit Return 30 December 2017 (Attachment 1 following green cover sheet)

Summary:

Submission of the Compliance Audit Return 2017 to Audit Committee for recommendation to Council for consideration of adoption, signing and submission to the Department of Local Government, Sport and Cultural Industries.

Background:

Under the Local Government Audit Regulations 1996, Local Government is required to carry out a Compliance Audit for the period 1 January 2017 to 31 December 2017. The certified return must be submitted to the Director General, Department of Local Government, Sport and Cultural Industries by 31 March 2018.

Comment:

Last year's Final Audit raised the following matter:

1. ANNUAL COMPLIANCE RETURN

Finding Rating: Moderate

We note Council's annual compliance return was not submitted to the Department of Local Government by 31 March 2017 as required by Regulation 15 of the Local Government (Audit) Regulations 1996 (submitted 4 April 2017).

Implication

Risk of non-compliance with Regulation 15 of the Local Government (Audit) Regulations 1996.

Recommendation

We recommend Council's annual compliance return was not submitted to the Department of Local Government by 31 March 2017 as required by Regulation 15 of the Local Government (Audit) Regulations 1996.

Management Comment

Due to a Department of Local Government Portal logon issue being encountered, we were unable to submit the return by the due date.

The Shire administration this year presenting the Compliance Audit Return 2017 a month early and will once approved by Council will submit to the Department of Local Government through the Portal early before the 31 March 2018 to ensure compliance.

Consultation:

Shire of Pingelly Audit Committee
Chief Executive Officer

Statutory Environment:

Regulation 14 of the *Local Government (Audit) Regulations 1996* provides:

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —
 - (a) presented to the council at a meeting of the council; and
 - (b) adopted by the council; and
 - (c) recorded in the minutes of the meeting at which it is adopted.

Regulation 15 provides that:

- (1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —
 - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and
 - (b) any additional information explaining or qualifying the compliance audit,
 - (c) is to be submitted to the Executive Director by 31 March next following the period to which the return relates.
- (2) In this regulation —

certified in relation to a compliance audit return means signed by —

 - (a) the mayor or president; and
 - (b) the CEO.

Policy Implications:

There are no policy implications arising from this report.

Financial Implications:

There are no known financial implications upon either the Council's current budget or long term financial plan.

Strategic Implications:

There are no known significant strategic implications relating to the report or the committee recommendation.

Voting Requirements:

Simple Majority

12357 Moved: Cr Steel

Seconded: Cr McBurney

Recommendation and Council Decision:

That the Audit Committee recommends to Council that:

- 1. It adopt the Compliance Audit Return 2017, as presented;**
- 2. The Chief Executive Officer and the Shire President be authorised to sign the Compliance Audit Return 2017;**
- 3. The Compliance Audit Return be submitted to the Department of Local Government, Sport and Cultural Industries by the 31 March 2018 deadline.**

Carried 8:0

11. CLOSURE OF MEETING

The Chairman declared the meeting closed at 11.19am.

These minutes were confirmed by Council at the Audit Committee Meeting held on

Signed.....
Presiding Person at the meeting at which the minutes were confirmed.