



Norseman Woodlands to Eucla Coast

Audit Committee Meeting

**UNCONFIRMED
MINUTES
23rd March 2023**

NOTICE OF MEETING

The next Audit Committee Meeting of the Council will be held on 23rd March 2023 in the Council Chambers at the Shire Administration Office Prinsep Street Norseman, commencing at 5:30 pm AWST to consider and resolve on the matters set out in the attached agenda.

A handwritten signature in black ink, appearing to read "Peter Fitchat", is written over a light blue horizontal line.

Peter Fitchat
Chief Executive Officer
20th March 2023

Shire of Dundas

Audit Committee

Delegated Duties and Responsibilities

The following duties and responsibilities are delegated to the Audit Committee by the Council at the Ordinary Meeting of the Council held on the 29th March 2022.

1. Provide guidance and assistance to the Council in carrying out the functions of the Shire in relation to audits which includes risk management, internal controls and legislative compliance.
2. Develop and recommend to the Council an appropriate process for the selection and appointment of a person as the Shires auditor.
3. Develop and recommend to the Council a written format for the proposal to tender for the Shires audit. The proposal is to include –
 - the objectives of the audit;
 - the scope of the audit;
 - a plan of the audit;
 - details of the remuneration and expenses to be paid; and
 - the method of communication to be used between the auditor and the Shire.
- 4 Recommend to the Council the person or persons to be appointed as auditor.
- 5 Liaise with the CEO to ensure that the Shire does everything in its power to:
 - assist the auditor to conduct the audit and carry out his or her other duties under the Local Government Act 1995; and
 - ensure that audits are conducted successfully and expeditiously.
- 6 Examine the reports of the auditor after receiving a report from the CEO on the matters and –
 - determine if any matters raised require action to be taken by the Shire; and
 - ensure that appropriate action is taken in respect of those matters.
- 7 Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and present the report to the Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time.
- 8 Review the relevant audit process annually to ensure that it is effective and meets the objectives of the Shires “Internal Audit and Risk Management Policy”.
- 9 Oversee the Shires Risk Management Plan and
 - support the implementation of the risk management and culture development program throughout the Shire;
 - make recommendation of the risk tolerance level for the Council to consider and adopt as appropriate;
 - bring to the attention of the Council the high to extreme identified risks and their recommended treatment;
 - establish the risk management plan which is aligned with the strategic planning process; and
 - actively promote risk management throughout the Shire.
- 10 To meet with the auditor at least once in every year in accordance with Section 7.12A(2) of the Local Government Act 1995.

Delegation reviewed and adopted without amendment at Ordinary Meeting of Council held 29th March 2022.

UNCONFIRMED MINUTES for the Audit Committee Meeting held in the Council Chambers at the Shire of Dundas Administration Office, 88-92 Prinsep Street Norseman on the 23rd March 2023 commencing at 5:30pm.

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1. Declaration of Opening and Announcement of Visitors.

The Shire President welcomed all in attendance and declared the meeting open at: 5:30pm

This Meeting will be video recorded to assist in the preparation of the minutes of the meeting.

1.1 Acknowledgment of Country

The Shire of Dundas recognises the Ngadju and Mirning as First Nations People in the Shire of Dundas, acknowledging them as traditional custodians and pay our respects to their Elders, past, present, and emerging.

1.2 Attendance at meetings by electronic means

The Shire President has been advised that Cr Wyatt will be in Norseman, Western Australia when the meeting is held and have requested attendance by electronic means, with other Councillors present at the meeting in accordance with Administration Regulation 14C and 14CA. The President has approved previously to the meeting.

The Shire President has been advised that Cr Patupis will be in Perth, Western Australia when the meeting is held and have requested attendance by electronic means, with other Councillors present at the meeting in accordance with Administration Regulation 14C and 14CA. The President has approved previously to the meeting.

2. Declarations of Financial, Proximity, Impartiality Interests & Gifts Received.

Financial Interests: Nil

Proximity Interests: Nil

Impartiality Interests: Nil

Gifts Received by Councillors: Nil

As per the Shire of Dundas Code of Conduct section 3.4 Gifts, adopted by the Council on 21 October 2014 and reference to Regulation 34B of the Local Government (Administration) 1996.

3. Record of Attendance of Councillors / Officers and Apologies.

Cr AR Patupis	Deputy Shire President – Presiding the meeting.
Cr JEP Hogan	
Cr SM Warner	
Cr VL Wyatt	
Cr J Maloney	
Peter Fitchat	Chief Executive Officer
Barry Hemopo	Manager of Works and Services
Clara Viola	Executive Assistant

Apologies

Pania Turner	Manager of Corporate and Community Services
Cr LG Bonza	Shire President
Cr J Maloney	

At the Ordinary Council Meeting held on the 2 March 2023 Council approved the following resolution: That Council grant Cr. Maloney's application for Leave of Absence for the period 25th March-26th April inclusive, noting that the Councillor will be absent from the scheduled Ordinary Council Meetings 25th March 2023 and the 18th April 2023.

As the meeting was reschedule for the 23 March 2023 instead of 25 March 2023, Cr Maloney had formally notified the President that he would not be able to attend due to the scheduled oversea travel.

4. Reports

Agenda Reference & Subject	
4.1 Compliance Audit Return 2022	
Location / Address	88-92 Prinsep Street, Norseman
File Reference	LS.CM
Author	Chief Executive Officer – Peter Fitchat
Date of Report	19 th March 2023
Disclosure of Interest	Nil

Background

Each year, Council is required to complete an annual compliance audit return (CAR) for the calendar year immediately preceding (1st January to 31st December) as published by the Department for Local Government and Communities. The CAR is then to be reviewed by the Audit Committee and a report presented to Council prior to the adoption of the CAR.

This year, the CAR was reviewed and completed by Moore Australia. Tanya Browning, Manager Local Government Advisory, from Moore Australia attended the Shire offices on 22 February 2021, during which time the CAR was completed through interviews with senior staff and the inspection of various documents and records including:

- Minute books
- Tender Register
- Financial Interest & Return Register
- Complaints Register
- Delegations Register
- Council's Website

The CAR is one of the tools that allow Council to monitor how the organisation is functioning in regard to compliance with the Local Government Act 1995 and provides the Audit and Risk Committee the opportunity to report to Council any cases of non-compliance or where full compliance was not achieved.

This process also provides opportunity for the Audit and Risk Committee to consider matters that may require further review within ongoing risk framework assessments and actions.

The Audit & Risk Committee reviewed the CAR at its meeting held 23rd March 2023 and resolved to recommend the adoption of the report to the Council and that the Shire President and Chief Executive Officer be authorised to sign the Compliance Audit Return for submission to the Department of Local Government. Minutes of that meeting are attached to this report as well as the 2020 CAR.

Through the completion of the 2020 CAR, there were instances of non-compliance noted,

particularly relating to matters which relate to recent changes to legislation, and to procurement under \$250,000 where insufficient evidence was available to support compliance with Council's purchasing policy. It was noted with management it is very difficult to declare during the review period the appropriate number of quotations had been obtained for every purchase (particularly low value purchases) in accordance with the purchasing policy.

A summary of matters noted during the completion of the 2020 CAR is attached for information. The attached summary also notes general improvement opportunities to systems and processes which were identified through the completion of the CAR. These improvements may assist the Shire in its risk management activities and endeavours towards continual improvement of administrative and compliance functions.

Statutory Environment

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

- (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 sub regulation (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 14 of the *Local Government (Audit) Regulations 1996* details the requirements regarding certifying the CAR and issuing to the Departmental CEO

Section 7.13(1)(i) of the *Local Government Act 1995* refers to the provisions within regulations regarding audits.

Policy Implications

There are no policy implications resulting from the recommendation of this report.

Financial Implications

There are no financial implications resulting from the recommendation of this report.

Strategic Implications

There are no strategic implications resulting from the recommendation of this report.

Risk Management

This item has been evaluated against the Shire's Risk Management Strategy, Risk Assessment Matrix. The perceived level of risk is medium prior to treatment.

Voting Requirements

Absolute Majority

Officer Recommendation

That the Council adopt the Compliance Audit Return for 2022 as shown in the papers following this report, and that the Shire President and Chief Executive Officer be authorised to sign the Compliance Audit Return for submission to the Department of Local Government.

Moved: Cr. Hogan

Seconded: Cr. Wyatt

Resolution

That the Council adopt the Compliance Audit Return for 2022 as shown in the papers following this report, and that the Shire President and Chief Executive Officer be authorised to sign the Compliance Audit Return for submission to the Department of Local Government.

Carried by: Absolute Majority For: 4 Against: 0

5. Next Meeting

The next meeting of the Audit Committee will be called as required.

6. Closure of Meeting

There being no further business the Shire President will declare the meeting closed at: 17:35 pm