



Minutes Audit Committee Meeting 21 February 2018

Held at the Leeman Recreation Centre

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Signed on behalf of Council

A handwritten signature in black ink, appearing to read 'Peter Crispin', with a long horizontal line extending to the right.

Peter Crispin
Chief Executive Officer

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS:

The Chief Executive Officer welcomed those present and opened the meeting at 3.16 pm.

2. RECORD OF ATTENDANCE/APOLOGIES:

Councillor M J Girando
Councillor B A Jack
Councillor V R Oakes
Councillor D A Rackemann
Councillor S Peck
Councillor G C Sims

President
Deputy President

Mr P J Crispin
Mrs L J Parola
Mr K L Bean

Chief Executive Officer
Deputy Chief Executive Officer
Manager of Works & Services

Apologies:

Leave of Absence

Councillor M Bothe
Councillor R J Clement

3. ELECTION OF PRESIDING MEMBER

3.1 ELECTION OF PRESIDING MEMBER

AUTHOR	Peter Crispin
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	25 January 2018

SUMMARY:

It is necessary for the Committee to elect a Presiding Member.

COMMENT:

In accordance with Schedule 2.3 of the *Local Government Act 1995*, written nominations for the office of Presiding Member for the next two years are to be addressed to the Chief Executive Officer. Nomination forms are enclosed with Councillors' Agenda Packages for this purpose. If a Councillor is nominated by another Councillor, the nominee must advise the Chief Executive Officer orally or in writing that he/she is willing to be nominated for the office.

Should there be two or more nominees, a secret ballot will be conducted to determine the holder of the office.

**STATUTORY IMPLICATIONS:
Local Government Act 1995**

Schedule 2.3 — When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council

[Sections 2.11(1)(b) and 2.15]

Division 1 — Mayors and presidents

1. Terms used

In this Division —

1. **extraordinary vacancy** means a vacancy that occurs under section 2.34(1);
2. **office** means the office of councillor mayor or president.

2. When council elects mayor or president

- (1) The office is to be filled as the first matter dealt with —
 - (a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
 - (b) at the first meeting of the council after an extraordinary vacancy occurs in the office.
- (2) If the first ordinary meeting of the council is more than 3 weeks after an extraordinary vacancy occurs in the office, a special meeting of the council is to be held within that period for the purpose of filling the office.

3. CEO to preside

The CEO is to preside at the meeting until the office is filled.

4. How mayor or president is elected

- (1) The council is to elect a councillor to fill the office.
- (2) The election is to be conducted by the CEO in accordance with the procedure prescribed.
- (3) Nominations for the office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.
- (3a) Nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.
- (4) If a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.
- (5) The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.
- (6) Subject to clause 5(1), the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with determining the result of an election) as if those votes were votes cast at an election.

- (7) As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.

[Clause 4 amended by No. 49 of 2004 s. 69(2)-(5); No. 66 of 2006 s. 14.]

5. Votes may be cast a second time

- (1) If when the votes cast under clause 4(5) are counted there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and the meeting is to be adjourned for not more than 7 days.
- (2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes.
- (3) When the meeting resumes the councillors are to vote again on the matter by secret ballot as if they were electors voting at an election.
- (4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.

FINANCIAL, POLICY STRATEGIC IMPLICATIONS:

There appears to be no implications in this regard.

Councillor Jack nominated Councillor Girando for the position of Presiding Member.

RESULT OF ELECTION:

The Chief Executive Officer declared Councillor Girando elected as the Presiding Member of the Shire of Coorow Audit Committee.

3.2 ELECTION OF DEPUTY PRESIDING MEMBER

AUTHOR	Peter Crispin
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	25 January 2018
FILE	ADM0308

SUMMARY:

It is necessary for the Audit Committee to elect a Deputy Presiding Member.

COMMENT:

In accordance with Schedule 2.3 of the *Local Government Act 1995*, written nominations for the office of Deputy Presiding Member of the Audit Committee for the next two years are to be addressed to the Chief Executive Officer. Nomination forms are enclosed with Councillors' Agenda Packages for the purpose. If a Councillor is nominated by another Councillor, the nominee must advise the Chief Executive Officer orally or in writing that he/she is willing to be nominated for the office.

Should there be two or more nominees, a secret ballot will be conducted to determine the holder of the office.

Upon election the Deputy Presiding Member is required to make a Declaration.

STATUTORY IMPLICATIONS:

Local Government Act 1995

Schedule 2.3 — When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council [Sections 2.11(1) (b) and 2.15]

Division 2 — Deputy mayors and deputy presidents

6. Terms used

In this Division —

3. **extraordinary vacancy** means a vacancy that occurs under section 2.34(1);

4. **office** means the office of deputy mayor or deputy president.

7. When the council elects the deputy mayor or deputy president

- (1) If the local government has an elector mayor or president the office of deputy mayor or deputy president is to be filled as the first matter dealt with —
 - (a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
 - (b) at the first meeting of the council after an extraordinary vacancy occurs in the office.
- (2) If the local government has a councillor mayor or president the office of deputy mayor or deputy president is to be filled —

- (a) as the next matter dealt with after the mayor or president is elected at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
 - (b) subject to subclause (3), as the first matter dealt with at the first meeting of the council after an extraordinary vacancy occurs in the office.
- (3) If at a meeting referred to in clause 2(1)(b) the deputy mayor or deputy president is elected to be the mayor or president, the resulting extraordinary vacancy in the office is to be filled as the next matter dealt with at the same meeting.

8. How deputy mayor or deputy president is elected

- (1) The council is to elect a councillor (other than the mayor or president) to fill the office.
- (2) The election is to be conducted in accordance with the procedure prescribed by the mayor or president, or if he or she is not present, by the CEO.
- (3) Nominations for the office are to be given to the person conducting the election in writing before the meeting or during the meeting before the close of nominations.
- (3a) Nominations close at the meeting at a time announced by the person conducting the election, which is to be a sufficient time after the announcement by that person that nominations are about to close to allow for any nominations made to be dealt with.
- (4) If a councillor is nominated by another councillor the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, orally or in writing, that he or she is willing to be nominated for the office.
- (5) The council members are to vote on the matter by secret ballot as if they were electors voting at an election.
- (6) Subject to clause 9(1) the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.
- (7) As soon as is practicable after the result of the election is known, the person conducting the election is to declare and give notice of the result in accordance with regulations, if any.

[Clause 8 amended by No. 64 of 1998 s. 54(2)-(4); No. 49 of 2004 s. 69(6)-(9).]

9. Votes may be cast a second time

- (1) If, when the votes cast under clause 8(5) are counted, there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and, not more than 7 days later, a special meeting of the council is to be held.
- (2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the special meeting is held.
- (3) When the special meeting is held the council members are to vote again on the matter by secret ballot as if they were voting at an election.
- (4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, under Schedule 4.1 as if those votes were votes cast at an election.

[Clause 9 amended by No. 49 of 2004 s. 69(10).]

FINANCIAL, POLICY STRATEGIC IMPLICATIONS:

There appears to be no implications in this regard.

Councillor Peck nominated Councillor Jack as the Deputy Presiding Member.
Seconded Councillor Rackemann.

RESULT OF ELECTION:

The Presiding member declared Councillor Jack elected as Deputy Presiding Member to the Shire of Coorow Audit Committee.

4. CONFIRMATION OF MINUTES:

4.1 MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 18 OCTOBER 2017 AT THE COOROW DISTRICT HALL

AUTHOR	Leanne Parola
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	25 January 2018
ATTACHMENT	Minutes of Audit Committee Meeting Held 18/10/17
FILE	

COMMENT:

Nil

OFFICER RECOMMENDATION:

That the Minutes of the Audit Committee Meeting, as at separate Attachment , held on Wednesday 18 October 2017, at the Coorow District Hall be confirmed as a true and correct record.

RESOLUTION: 2018/A01

Moved: Cr Sims

Seconded: Cr Oakes

That the Minutes of the Audit Committee Meeting, held on Wednesday 18 October 2017 at the Coorow District Hall, be confirmed as a true and correct record.

***CARRIED 6/0
Simple Majority***

5. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION:

7.12A. Duties of local government with respect to audits

(1) A local government is to do everything in its power to —

(a) assist the auditor of the local government to conduct an audit and carry out the auditor's other duties under this Act in respect of the local government; and

(b) ensure that audits are conducted successfully and expeditiously.

(2) Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.

6. REPORTS:

6.1 CHIEF EXECUTIVE OFFICER'S REPORT:

6.1.1 2017 COMPLIANCE AUDIT RETURN

AUTHOR	Peter Crispin
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	27 January 2018
ATTACHMENT	2017 Compliance Audit Return
FILE	ADM0057

SUMMARY:

Presentation of the 2017 Compliance Audit Return to the Audit Committee for review.

BACKGROUND:

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

The local government's audit committee is required to review the compliance audit return and is to report to the council the results of that review.

The Compliance Audit return must then be:

1. presented to Council at a meeting of the Council
2. adopted by the Council, and
3. recorded in the Minutes of the Meeting at which it is adopted.

A copy of the Return is submitted for the Audit Committee for review before presentation to at its Ordinary Meeting to be held in March 2018. It is a requirement that the Shire President and Chief Executive Officer sign the Return.

COMMENT:

No responses in the report were in the negative and, therefore, no items are required to be brought to Council's attention.

STATUTORY REQUIREMENTS:

Local Government (Audit) Regulations 1996 -

14. Compliance audits by local governments

15. Compliance audit return, certified copy of etc. to be given to Executive Director

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION/RESOLUTION:

2018/A02

Moved: Cr Peck

Seconded: Cr Rackemann

That the 2017 Compliance Audit Return be noted and that it be recommended to Council that:

- 1. The 2017 Compliance Audit Return be adopted; and**
- 2. Chief Executive Officer and the Shire President be authorised to sign/certify the 2017 Compliance Audit Return.**

***CARRIED 6/0
Simple Majority***

7. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN:

Nil

8. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION:

Nil

9. DATE OF NEXT MEETING:

9.1 NEXT MEETING OF AUDIT COMMITTEE

The Audit Committee will meet again as required, such as when the compliance return is completed, or after the receipt of Council's Annual Audit Report for the 2017/18 financial year.

10. CLOSURE:

There being no further business, the Presiding Member closed the meeting at 3.20 pm.