

Shire of Denmark

Agenda



SHIRE OF DENMARK AUDIT ADVISORY COMMITTEE

TO BE HELD IN THE COUNCIL CHAMBERS,
953 SOUTH COAST HIGHWAY, DENMARK,
TUESDAY, 4 MARCH 2022, COMMENCING 8.15AM.

ATTENDANCE VIA ZOOM

Join Zoom Meeting <https://us02web.zoom.us/j/89319079731>

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Due to it being the first meeting since the 2021 Local Government Elections, the Chief Executive Officer, or nominee, will assume the Chair and call for nominations for the position of Presiding Officer for the ensuing two (2) years.

2. ELECTION OF PRESIDING PERSON

A Nomination Form is attached to your Agenda and should be received by the Chief Executive Officer immediately following the opening of the meeting.

A Presiding Person is to be elected using the same method as detailed in Section 5.12 and Schedule 2.3, Division 1 of the Local Government Act 1995.

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

MEMBERS:

- Cr Kingsley Gibson (Deputy Shire President)
- Cr Donna Carman
- Cr Clare Campbell
- Cr Donald Clarke
- Cr Nathan Devenport
- Cr Jackie Ormsby

STAFF:

- Mr David King (Deputy CEO)
- Ms Gina McPharlin (Director Corporate & Community Services)
- Ms Claire Thompson (Governance Coordinator)

APOLOGIES:

- Mr David Schober (Chief Executive Officer)

ON LEAVE OF ABSENCE:

ABSENT:

VISITORS:

4. DECLARATIONS OF INTEREST

Name	Item No	Interest	Nature

5. ANNOUNCEMENTS BY THE PERSON PRESIDING

6. CONFIRMATION OF MINUTES

6.1 AUDIT COMMITTEE MEETING

OFFICER RECOMMENDATION	ITEM 6.1
That the minutes of the Shire of Denmark Audit Advisory Committee meeting held on 9 March 2021, be confirmed as a true and correct record of the proceedings.	

7. PUBLIC QUESTION TIME

Public Question Time shall be held in accordance with section 5.24 of the Local Government Act 1995 and Regulations 5, 6 and 7 of the Local Government (Administration) Regulations 1996.

Public question time enables members of the public to address the Committee or ask questions of Committee. The procedure for public question time can be found on the wall near the entrance to the Council Chambers or can be downloaded from the Shire's website at <http://www.denmark.wa.gov.au/council-meetings>.

Questions from the public are invited and welcomed at this point of the Agenda.

Questions from the Public

8. OFFICER REPORTS

8.1 2021 COMPLIANCE AUDIT RETURN

File Ref:	FIN.8A
Applicant / Proponent:	Not applicable
Subject Land / Locality:	Not applicable
Disclosure of Officer Interest:	Nil
Date:	22 February 2022
Author:	Claire Thompson, Governance Coordinator
Authorising Officer:	David Schober, Chief Executive Officer
Attachments:	8.1 – 2021 Compliance Audit Return

Summary:

The Audit Advisory Committee are required to review the 2021 Compliance Audit Return (CAR) and report to Council the results of the review.

Background:

Each year a local government is required to carry out a compliance audit for the period 1 January to 31 December against the requirements of the Compliance Audit Return provided by the Department of Local Government, Sport and Cultural Industries.

The information derived from the CAR is retained by the Department for future reference.

Consultation:

Relevant Shire employees who had responsibility to ensure compliance of matters within the CAR have been consulted.

Statutory Obligations:

- Section 7.13 (1) (i) of the Local Government Act 1995 requires that the audit of compliance is to be carried out in a prescribed manner and in a form approved by the Minister.
- Regulation 13 sets out the prescribed manner and form of a compliance audit return, which has been approved by the Minister.
- Regulation 14 refers to the compliance audit period, the format and states that the compliance audit return is to be reviewed by the local government's audit committee and that the audit committee must report the result of that review to Council. The audit committee's report must be presented to, and adopted by, the Council.
- Regulation 15 refers to the requirement that a certified copy of the compliance audit return is presented to the Director General of the Department by 31 March.

Policy Implications:

There are no policy implications.

Budget / Financial Implications:

There are no known financial implications upon either the Council’s current Budget or Long Term Financial Plan.

Strategic & Corporate Plan Implications:

The report and officer recommendation is consistent with Council’s adopted Strategic Community Plan aspirations in the following specific ways:

Denmark 2027

L5.0 Our Local Government

The Shire of Denmark is recognised as a transparent, well governed and effectively managed Local Government.

L5.1 To be a high functioning, open, transparent, ethical and responsive.

Sustainability Implications:

➤ **Governance:**

A report and the Committee’s recommendation will be submitted to Council on 15 March 2022 to allow sufficient time for the Compliance Audit Return to be submitted to the Department by 31 March.

➤ **Environmental:**

There are no known significant environmental implications relating to the report or officer recommendation.

➤ **Economic:**

There are no known significant economic implications relating to the report or officer recommendation.

➤ **Social:**

There are no known significant social considerations relating to the report or officer recommendation.

➤ **Risk:**

Nil

Comment/Conclusion:

The draft 2021 Compliance Audit Return is attached for the Audit Advisory Committee’s review and report to Council.

There was one area of non-compliance relating to the timeframe for adopting a code of conduct for Council members, committee members and candidates. The requirement for a new code came into operation on 3 February 2021 and local governments were required to adopt a new code (policy) within 3 months.

The new code (policy) was presented to, and adopted by, Council on 20 July 2021.

Voting Requirements:

Simple majority.

<p>OFFICER RECOMMENDATION</p> <p>That with respect to the 2021 Compliance Audit Return, Council:</p> <ol style="list-style-type: none"> 1. Note the one area of non-compliance; 2. Endorse the 2021 Compliance Audit Return; and 3. Submit a certified copy to the Director General of the Department of Local Government, Sport and Cultural Industries by 31 March 2022. 	<p>ITEM 8.1</p>
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9. GENERAL BUSINESS

10. NEXT MEETING

The next meeting of the Shire of Denmark Audit Advisory Committee is to be held as required.

11. CLOSURE OF MEETING