



MINUTES

22nd of MARCH 2023

AUDIT COMMITTEE MEETING

To be held at the Shires Administration Building situated at Gascoyne Junction
commencing at 9:30am

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Please note this agenda contains recommendations which have not yet been adopted by Council.

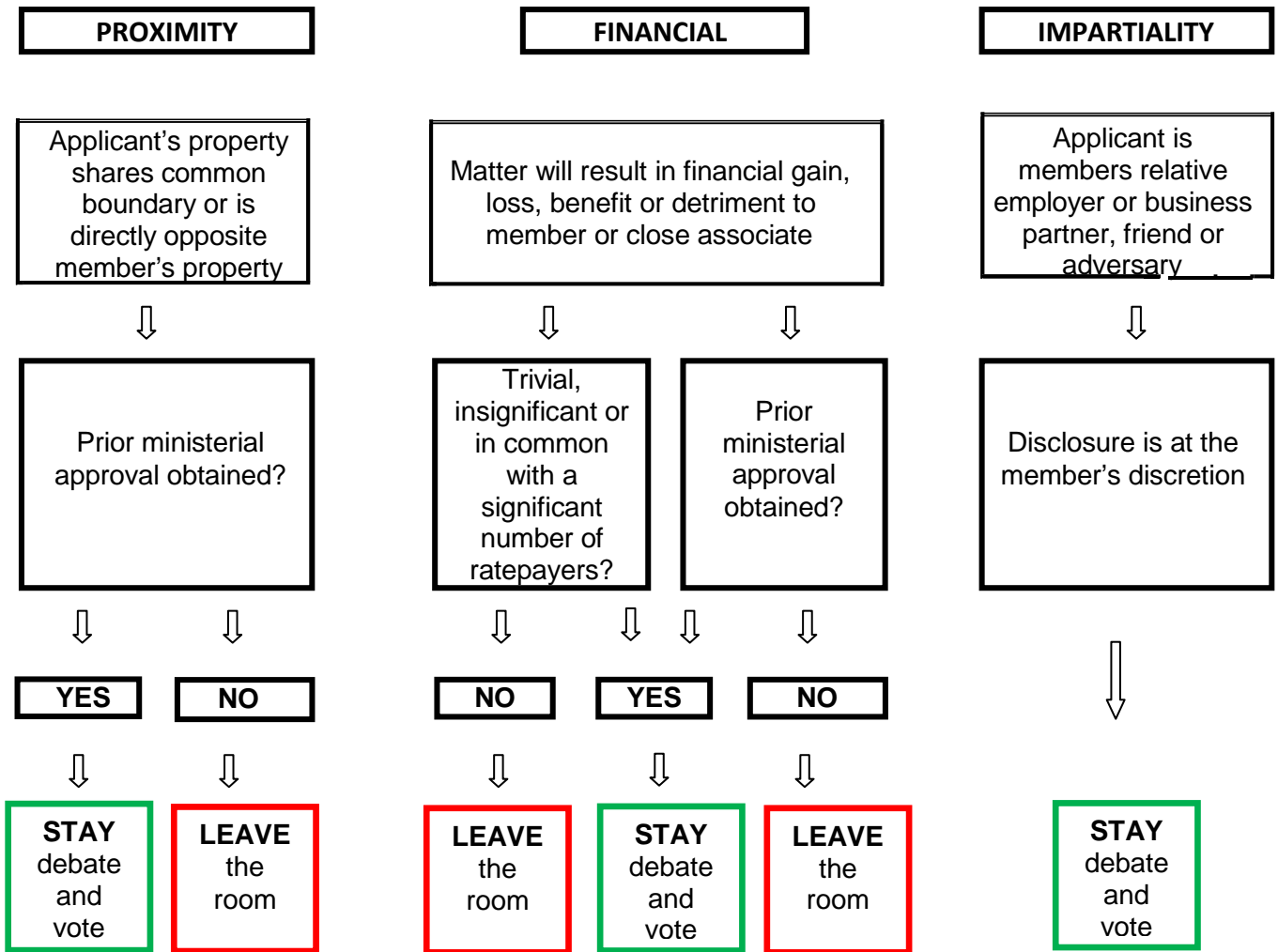
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John McCleary, JP
CHIEF EXECUTIVE OFFICER

* Declaring an Interest



Local Government Act 1995 - Extract

5.65 - Members' interests in matters to be discussed at meetings to be disclosed.

(1) A member who has an 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 CEO before the meeting; or (b) at the meeting immediately before the matter is discussed. (Penalties apply).

(2) It is a defense to a prosecution under this section if the member proves that he or she did not know:

(a) that he or she had an interest in the matter; or (b) that the matter in which he or she had an interest would be discussed at the meeting.

(3) This section does not apply to a person who is a member of a committee referred to in section 5.9(2)(f).

5.70 - Employees to disclose interests relating to advice or reports.

(1) In this section: 'employee' includes a person who, under a contract for services with the local government, provides advice or a report on a matter.

(2) An employee who has an interest in any matter in respect of which the employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when giving the advice or report.

(3) An employee who discloses an interest under this section must, if required to do so by the council or committee, as the case may be, disclose the extent of the interest. (Penalties apply).

5.71 - Employees to disclose interests relating to delegated functions.

If, under Division 4, an employee has been delegated a power or duty relating to a matter and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and:

(a) in the case of the CEO, must disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter; and (b) in the case of any other employee, must disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter. (Penalties apply).

'Local Government (Administration) Regulations 1996 – Extract

In this clause and in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996:

"Interest" means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.



SHIRE OF UPPER GASCOYNE
AGENDA FOR THE AUDIT MEETING OF COUNCIL TO BE HELD AT GASCOYNE JUNCTION
SHIRE OFFICES ON WEDNESDAY THE 22nd OF MARCH 2023 AT 9:30AM

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SHIRE OF UPPER GASCOYNE
AGENDA FOR THE AUDIT MEETING OF COUNCIL TO BE HELD AT GASCOYNE JUNCTION SHIRE
OFFICES ON WEDNESDAY THE 22nd of MARCH 2023 AT 9:30AM

1. DECLARATION OF OPENING / ANNOUNCEMENTS OF VISITORS

The President welcomed those present and declared the meeting open at am

2. APOLOGIES AND APPROVED LEAVE OF ABSENCE

2.1 Councillors

Cr A. McKeough	Councillor
Cr J. Caunt	Councillor
Cr B. Walker	Councillor

Staff

John McCleary JP	Chief Executive Officer
Sa Toomalatai	Manager of Finance and Corporate Services

Visitors

2.2 Absentees

2.3 Leave of Absence previously approved

Cr D. Hammarquist OAM JP Shire President

3. APPLICATION FOR LEAVE OF ABSENCE

Nil

4. PUBLIC QUESTION TIME

4.1 Questions on Notice

Nil

4.2 Questions without Notice

Nil

5. DISCLOSURE OF INTEREST

Nil

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

7. **ANNOUNCEMENTS BY THE PERSON PRESCIDING WITHOUT DISCUSSION**

Nil

8. **MATTERS FOR WHICH THE MEETING MAY GO BEHIND CLOSED DOORS**

Nil

9. **CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS**

Committee Resolution No: AC 10032023

MOVED: CR B. WALKER

SECONDED: CR J. CAUNT

That the minutes from previous Audit Committee Meeting held on 15th of December 2022 are a true and correct record.

FOR: CR A. MCKEOUGH
CR B. WALKER
CR J. CAUNT

AGAINST: CR

F/A: 3/0

10 2022 COMPLIANCE AUDIT RETURN

Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	None
Author:	John McCleary – Chief Executive Officer
Date:	22 nd March 2023
Matters for Consideration:	To receive the report of the Audit Committee in regard to the review of the Compliance Audit return for 2022 and make recommendation for Council to adopt the return as detailed in Appendix 1 .
Background:	<p>Prior to the ordinary meeting of Council, the compliance audit return prepared by the CEO will be reviewed by the Audit Committee in accordance with regulation 14 of the Local Government (Audit) Regulations. The regulations provide that after the audit committee has reviewed the return, it is to report to Council the results of that review. Once the audit committee has reported to Council, the compliance return is to be presented to Council for adoption of the return.</p> <p>Once the return is adopted by Council, a certified copy of the return together with a copy of the relevant minutes referred to in the regulations and any additional information will be submitted to the Executive Director of the Department of Local Government by March 31st.</p>
Comments:	No compliance issues have been noted during the 2022 calendar year.
Statutory Environment:	<p>Local Government (Audit) Regulations 1996 Reg14. Compliance Audits by local governments</p> <p>(1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.</p> <p>(2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.</p> <p>(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.</p> <p>(3) After the audit committee has reported to the council under sub regulation {3A}, the compliance audit return is to be -</p> <p>(a) presented to the council at a meeting of the council; and</p> <p>(b) adopted by the council; and</p> <p>(c) recorded in the minutes of the meeting at which it is adopted</p>
Policy Implications:	Nil

Financial Implications:		Nil			
Strategic Implications:		<p>Civic Leadership –</p> <p>To provide Good Governance to the Upper Gascoyne Shire area through:</p> <ul style="list-style-type: none"> • Detailed and professional administration; • High levels of accountability; • Compliance with statutory requirements; • High-quality forward planning, particularly for assets and finances; • Openness and transparency and enhanced consultations and public participation; <p>Provision of quality customer services, good financial management and pursuit of excellence in professional administration and communication</p>			
Risk:					
Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation
Consultation:		Nil			
Voting requirement:		Simple Majority			
Officer's Recommendation:		<p><i>That the Audit Committee –</i></p> <p><i>Pursuant to Regulation 14 of the Local Government (Audit) Regulations 1996</i></p> <ol style="list-style-type: none"> <i>1. Receives the Compliance Audit Return for 2022 as contained in Appendix 1.</i> <i>2. Report to Council the results of the Compliance Audit review and recommends that Council adopt the 2022 Compliance Audit Return.</i> 			
Committee Resolution No: AC 02032023					
MOVED:	CR: A. MCKEOUGH	SECONED:	CR: B. WALKER		

That the Audit Committee –

Pursuant to Regulation 14 of the Local Government (Audit) Regulations 1996

- 1. Receives the Compliance Audit Return for 2022 as contained in [Appendix 1](#).*
- 2. Report to Council the results of the Compliance Audit review and recommends that Council adopt the 2022 Compliance Audit Return.*

FOR: CR A. MCKEOUGH
CR B. WALKER
CR J. CAUNT

AGAINST: CR

F/A: 3/0

10. MEETING CLOSURE

The Shire President closed the meeting at 9.40am.

To be confirmed at the Audit Committee Meeting on the 26 April 2023.

Signed.....

Presiding member at the meeting at which time the minutes were confirmed.