



Shire of
Peppermint Grove

AUDIT GOVERNANCE AND RISK MANAGEMENT COMMITTEE MEETING

AGENDA

*This meeting is not open to the public.
All recommendations of this committee are referred to council.*

**TO BE HELD ON THE
14th MARCH 2023 AT 5.00PM**



Shire of Peppermint Grove

NOTICE OF MEETING

Dear Committee Member

It is advised that the **AUDIT GOVERNANCE AND RISK MANAGEMENT COMMITTEE Meeting** will be held in the Council Chamber of the **Shire of Peppermint Grove**, 1 Leake Street, Peppermint Grove, on 14th March 2023 at 5.00pm.

MEETING AGENDA ATTACHED

Yours faithfully

A handwritten signature in black ink, appearing to read 'Don Burnett', is positioned below the text 'Yours faithfully'.

Mr Don Burnett
CHIEF EXECUTIVE OFFICER

10th March 2023



Shire of Peppermint Grove

AUDIT GOVERNANCE AND RISK MANAGEMENT COMMITTEE MEETING AGENDA

14 March 2023

1 DECLARATION OF OFFICIAL OPENING

At _____ pm, the Presiding Member declared the meeting open.

2 RECORDING OF ATTENDANCE, APOLOGIES AND LEAVES OF ABSENCE

2.1 ATTENDANCE

Shire President	Cr R Thomas
Deputy Shire President (Presiding Member)	Cr C Hohnen
Elected Member	Cr P Macintosh
Elected Member	Cr D Jackson

Chief Executive Officer	Mr D Burnett
Manager Corporate and Community Services	Mr M Costarella

2.2 GUESTS

Nil

2.3 APOLOGIES

Elected Member	Cr P Dawkins
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2.4 LEAVES OF ABSENCE

3 DECLARATIONS OF INTEREST

Councillors / Staff are reminded of the requirements of section 5.65 of the Local Government Act 1995, to disclose any interest during the meeting when the matter is discussed, and also of the requirement to disclose an interest affecting impartiality under the Shire's Code of Conduct. Councillors / staff are required to submit declarations of interest in writing on the prescribed form.

3.1 FINANCIAL INTEREST

A declaration under this section 5.60 of the Act requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

Other members may allow participation of the declarant if the member further discloses the extent of the interest and the other members decide that the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

3.2 PROXIMITY INTEREST

A declaration under this section 5.60 of the Act requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

Other members may allow participation of the declarant if the member further discloses the extent of the interest and the other members decide that the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

3.3 IMPARTIALITY INTEREST

Councillors and staff are required (Code of Conduct), in addition to declaring any financial interest, to declare any interest that might cause a conflict. The member / employee is also encouraged to disclose the nature of the interest. The member / employee must consider the nature and extent of the interest and whether it will affect their impartiality. If the member / employee declares that their impartiality will not be affected then they may participate in the decision making process.

3.4 INTEREST THAT MAY CAUSE A CONFLICT

Councillors and staff are required (Code of Conduct), in addition to declaring any financial interest, to declare any interest that might cause a conflict. The member / employee is also



encouraged to disclose the nature of the interest. The member / employee must consider the nature and extent of the interest and whether it will affect their impartiality. If the member / employee declares that their impartiality will not be affected then they may participate in the decision making process.

3.5 STATEMENT OF GIFTS AND HOSPITALITY

Councillors and staff are required (Code of Conduct), to disclose gifts and acts of hospitality which a reasonable person might claim to be a conflict of interest. Gifts and acts of hospitality which exceed that amount of prescribed by regulation are to be recorded in the Councils Gift Register.

4 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

5 CONFIRMATION OF MINUTES

5.1 AUDIT GOVERNANCE AND RISK MANAGEMENT COMMITTEE MEETING 13th DECEMBER 2022

OFFICER RECOMMENDATION – ITEM 5.1

Moved:

Seconded:

That the Minutes of the Audit Committee Meeting, of the Shire of Peppermint Grove held in the Council Chambers on 13 December 2022 be confirmed as a true and accurate record.



6.OFFICER REPORTS

6.1 2022 Compliance Audit Report

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1 – Item refers	Compliance Audit Report for 2022

Voting Requirement	Simple Majority
Subject Index	Financial management Audit
Disclosure of any Interest	Nil
Responsible Officer	Michael Costarella, Manager Corporate & Community Services

PURPOSE OF REPORT

The purpose of this report is to present to Council the 2022 Compliance Audit Return (CAR) for adoption and endorsement

SUMMARY AND KEY ISSUES

There were 95 questions within the Compliance Audit Return and there were no questions of non-compliance that were identified.

BACKGROUND

Completion of the Compliance Audit Return is a Statutory requirement and requires endorsement by the Audit Committee and adoption by Council.

Following the CAR being presented to Council, a certified copy of the return along with the relevant section of the minutes and any additional information be submitted to the Director General of the Department of Local Government no later than the 31 March 2023.

CONSULTATION

There has been no specific consultation undertaken in respect to this matter.

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.



STATUTORY IMPLICATIONS

Local Government (Audit) Regulations 1996- Clause 14

14. Compliance audits by local governments

- (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.*

15. Certified copy of compliance audit return and other documents to be given to Departmental CEO

- (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,**is to be submitted to the Departmental CEO 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.*

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.



ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

The 2022 CAR consisted of 95 Questions within the following compliance areas:-

- Commercial Enterprises by Local Governments – 5 Questions
- Delegation of Power / Duty- 13 Questions
- Disclosure of Interest- 22 Questions
- Disposal of Property- 2 Questions
- Elections- 3 Questions
- Finance- 7 Questions
- Integrated Planning and Reporting- 3 Questions
- Local Government Employees- 5 Questions
- Official Conduct- 4 Questions
- Optional Questions- 9 Questions
- Tenders for Providing Goods and Services- 22 Questions

There were no non compliance matters.

OFFICER RECOMMENDATION/S – ITEM NO 6.1

That Council adopts the 2022 Compliance Audit Return as attached to the Audit Governance and Risk management Committee Agenda of 14th March 2023.



CONFIDENTIAL REPORT

6.2 Debtors Write Off- Uncollectable Outstanding Amounts

This matter can be considered behind closed door with members of the public excluded from the Chamber under Clause 5.23 (2) (b) of the Local Government Act 1995 as the Officer report discusses:

(b) the personal affairs of any person.

OFFICER RECOMMENDATION/S – ITEM NO 6.2

That Council write off the amounts contained in the Audit Governance & Risk Management Audit Committee for March 2023 totalling -\$1,515.00.

7.0 CLOSURE

There being no further business, the meeting closed at _____ pm.