



Shire of  
Peppermint Grove

# **AUDIT GOVERNANCE AND RISK MANAGEMENT COMMITTEE MEETING**

## **MINUTES**

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

**HELD ON THE**

**14<sup>th</sup> MARCH 2023 AT 5.00PM**



# Shire of Peppermint Grove

## AUDIT GOVERNANCE AND RISK MANAGEMENT COMMITTEE MEETING MINUTES

14 March 2023

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### 1 DECLARATION OF OFFICIAL OPENING

At 5.00pm, 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 (5.06pm)

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

Nil



### **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)**

Nil

### **5 CONFIRMATION OF MINUTES**

#### **5.1 AUDIT GOVERNANCE AND RISK MANAGEMENT COMMITTEE MEETING 13<sup>th</sup> DECEMBER 2022**

#### **OFFICER/ COMMITTEE RECOMMENDATION – ITEM 5.1**

**Moved: Cr Thomas**

**Seconded: Cr MacIntosh**

**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.**

**CARRIED 3/0**

Cr Jackson entered the Chambers at 5.06pm



## 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 COMMITTEE RECOMMENDATION– ITEM NO 6.1

**MOVED Cr MacIntosh**

**SECONDED Cr Thomas**

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

**CARRIED 4/0**



**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/ COMMITTEE RECOMMENDATION/S – ITEM NO 6.2**

**MOVED Cr Thomas**

**SECONDED Cr MacIntosh**

**That this report is considered behind closed doors in accordance with Clause 5.23 (2) (b) of the Local Government Act 1995**

**CARRIED 4/0**

**ATTACHMENT DETAILS**

<u>Attachment No</u>	<u>Details</u>
Attachment Two	Officers Report on Debtors Write off

**OFFICER/ COMMITTEE RECOMMENDATION/S – ITEM NO 6.2.1**

**MOVED Cr Macintosh**

**SECONDED Cr Thomas**

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

**CARRIED 4/0**

**OFFICER/ COMMITTEE RECOMMENDATION/S – ITEM NO 6.2.2**

**MOVED Cr Hohnen**

**SECONDED Cr Thomas**

**That the Committee come out from behind closed doors and be reopened to the public**

**CARRIED 4/0**

**7.0 CLOSURE**

There being no further business, the meeting closed at 5.20 pm.

Confirmed  this day of  2023

PRESIDING MEMBER