



UNCONFIRMED MINUTES
OF THE AUDIT COMMITTEE
HELD ON
MONDAY 11 MARCH 2013
AT 9.00AM

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CONTENTS

1.	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	2
2.	RECORD OF ATTENDANCE/APOLOGIES	2
3.	DISCLOSURE OF INTERESTS.....	3
4.	CONFIRMATION OF MINUTES OF THE AUDIT COMMITTEE	3
	A2013-0301 Minutes of the Audit Committee Meeting.....	3
5.	BUSINESS AS NOTIFIED	4
	5.1 Compliance Audit Return 2012	4
	A2013-0302 Compliance Annual Return 2011.....	6
6.	URGENT BUSINESS.....	6
7.	MEETING CLOSURE	6



Unconfirmed Minutes of the Audit Committee Meeting
held in the Council Chambers, 37 Gibbons Street, Yalgoo,
on Monday 11 March 2013, commencing at 9.00am.

Members of the Audit Committee

The Shire of Yalgoo audit committee was established by an absolute majority of Council, resolution C2011-1005, following the 2011 general election in accordance with s7.1A of the Act.

The term of office is until the next ordinary elections in October 2013.

Council subsequently appointed, by absolute majority, the following persons as members of the audit committee after extraordinary elections:

- *Cr Robert (Bob) Grinham (C2012-1011)*
- *Cr Stanley (Stan) Willock (C2013-0209)*

As at 1 March 2013, the members of the Audit Committee are Crs T Iturbide, R Valenzuela, N Grinham, R Grinham, L Hodder and S Willock.

Presiding Member

The Audit Committee, at a meeting held 13 December 2011, elected Councillor Neil Grinham to the office of presiding member and Councillor Raul Valenzuela to the office of deputy presiding member.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Deputy Presiding Member Raul Valenzuela declared the Audit Committee Meeting open at 9.12am.

2. RECORD OF ATTENDANCE/APOLOGIES

MEMBERS	Cr Terry K Iturbide, Shire President Cr M Raul Valenzuela, Deputy Presiding Member Cr Laurence Hodder Cr Robert Grinham Cr Stan Willock
STAFF	Sharon Daishe, Chief Executive Officer Karen Malloch, Executive Assistant

GUESTS

OBSERVERS

APOLOGIES Cr Neil A Grinham, Presiding Member

3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting

4. CONFIRMATION OF MINUTES OF THE AUDIT COMMITTEE

Background

Minutes of the Audit Committee meeting held Tuesday 09 October 2012 were previously distributed to members and received by the Ordinary Meeting of Council held on 18 October 2012.

Voting Requirements

Simple majority

OFFICER RECOMMENDATION

A2013-0301 Minutes of the Audit Committee Meeting

That the minutes of the Audit Committee meeting held on Tuesday 09 October 2012, as circulated, be confirmed as a true and correct record of proceedings.

Moved: Cr T Iturbide

Seconded: Cr R Grinham

Motion put and carried 5/0

5. BUSINESS AS NOTIFIED

5.1 Compliance Audit Return 2012

File:	
Author:	Sharon Daishe, CEO
Interest Declared:	No interest to disclose
Date:	07 March 2013
Attachments	P1 Compliance Audit Return (CAR) 2012
(yellow)	P10 Circular 34-2012 (Department of Local Government), 2012 Compliance Audit Return for Local Government

Matter for Consideration

To review the Compliance Audit Return for the period 1 January to 31 December 2012.

Background

The Chief Executive Officer has prepared the on line Compliance Audit Return for the period 1 January to 31 December 2012.

The CAR is attached and results are summarised in the officer recommendation.

Areas of non compliance are reported on under Comments.

Statutory Environment

Local Government (Audit) Regulations 1996

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.

[Regulation 14 inserted in Gazette 23 Apr 1999 p. 1724 5; amended in Gazette 30 Dec 2011 p. 5580-1.]

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

(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 Executive Director 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.

[Regulation 15 inserted in Gazette 23 Apr 1999 p. 1725.]

Local Government Act 1995

- s.3.1 (1) The general function of the local government is to provide for the good government of persons in its district.

Strategic Implications

Legislative compliance is an indicator of governance and controls. The Department of Local Government redesigned the CAR in 2011 to reflect areas considered high risk. Refer Circular 35-2011.

Policy Implications

Nil

Financial Implications

Nil

Consultation

Nil

Comment

The compliance annual return shows substantial compliance or complete compliance in each section. Following is a report of non-compliant areas.

1. One elected member failed to submit the annual return for the period ended 31 August 2012. Note that this is a repeated area of non compliance each year despite the extra efforts of staff to remind elected members. Elected members are reminded that it is your responsibility to lodge your primary and annual return by the due date, and there are substantial penalties for non compliance.
2. One designated staff member failed to submit the annual return for the period 31 August 2012. However, the designation of this staff member changed during the period 1 July to 31 August, and the person was absent for part of the period, and they have generally complied in previous years. This is not considered substantial non compliance.
3. On inspection, the tender register was found not to contain a copy of the advertisement placed by Greenfield's Technical Services on behalf of the Shire for bitumen products. Staff will obtain this document and place on the tender register. Further staff training on the tender register will prevent this recurring.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

A2013-0302 Compliance Annual Return 2011

That the Audit Committee, having reviewed the Compliance Annual Return for the period 1 January to 31 December 2012 as presented, reports the result to council as per the attached document and the results shown below.

Section	Questions in section	Compliant	Non Compliant
Commercial Enterprises by Local Governments	5	5	0
Delegation of Power / Duty	13	13	0
Disclosure of Interest	16	14	2
Disposal of Property	2	2	0
Elections	1	1	0
Finance	15	15	0
Local Government Employees	5	5	0
Official Conduct	6	6	0
Tenders for Providing Goods and Services	15	14	1
TOTAL	78	75	3
Percentage		96%	4%

Moved: Cr T Iturbide

Seconded: Cr R Grinham

Motion put and carried 5/0

6. URGENT BUSINESS

7. MEETING CLOSURE

There being no further business, Deputy Presiding Member Cr Raul Valenzuela declared the meeting closed at 9.45am.

DECLARATION

These minutes were confirmed by Council at the Ordinary Meeting held on _____.

Signed: _____
 Person presiding at the meeting at which these minutes were confirmed