



## SHIRE OF DENMARK AUDIT ADVISORY COMMITTEE

HELD IN THE COUNCIL CHAMBERS,  
953 SOUTH COAST HIGHWAY, DENMARK,  
AND VIA VIDEOCONFERENCE  
TUESDAY, 4 MARCH 2022.

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# Council Committee Meeting

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## 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

*8.20am - Due to it being the first meeting since the 2021 Local Government Elections, the Deputy Chief Executive Officer assumed the Chair and called for nominations for the position of Presiding Officer.*

## 2. ELECTION OF PRESIDING PERSON

*The Deputy CEO announced that he had received a nomination from Cr Gibson for Cr Ormsby however, Cr Ormsby was not in attendance to accept or decline the nomination.*

*Cr Devenport nominated Cr Gibson.*

*Cr Gibson accepted the nomination in writing and assumed the chair as the Presiding Person.*

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

### MEMBERS:

Cr Kingsley Gibson (Deputy Shire President) (Presiding Person)

Cr Clare Campbell (via videoconference)

Cr Donald Clarke (via videoconference)

Cr Nathan Devenport

### STAFF:

Mr David King (Deputy CEO)

Ms Gina McPharlin (Director Corporate & Community Services)

Mr Lee Sounness (Manager Corporate Services)

Ms Claire Thompson (Governance Coordinator)

### APOLOGIES:

Mr David Schober (Chief Executive Officer)

Cr Donna Carman

Cr Jackie Ormsby

### ON LEAVE OF ABSENCE:

Nil

### ABSENT:

Nil

### VISITORS:

Nil

## 4. DECLARATIONS OF INTEREST

Nil

## 5. ANNOUNCEMENTS BY THE PERSON PRESIDING

Nil

## 6. CONFIRMATION OF MINUTES

### 6.1 AUDIT COMMITTEE MEETING

<b>COMMITTEE RESOLUTION &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 6.1</b>
MOVED: CR DEVENPORT	SECONDED: CR CLARKE
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.	
CARRIED: 4/0	

## 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

#### 7.1 Mr Geoff Bowley (via videoconference)

Mr Bowley referred to the 9 March 2021 Minutes and asked for an update on the five outstanding items.

*The Director Corporate & Community Services responded as follows:*

1. *The Risk Management Policy was being updated in conjunction with the Business Continuity Plan.*
2. *The Credit Card Policy was an internal operational policy and was completed.*
3. *Officers were in the process of seeking quotes to obtain some external input into the ICT Strategy.*

*The Governance Coordinator advised that the Elected Member Reimbursements Policy would be presented to Council in April 2022.*

## 8. OFFICER REPORTS

### 8.1 2021 COMPLIANCE AUDIT RETURN

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

<b>COMMITTEE &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 8.1</b>
MOVED: CR DEVENPORT	SECONDED: CR CLARKE
That with respect to the 2021 Compliance Audit Return, Council:	
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.	
CARRIED: 4/0	

**9. GENERAL BUSINESS**

Nil

**10. NEXT MEETING**

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

**11. CLOSURE OF MEETING**

8.31am – *There being no further business to discuss the Presiding Person declared the meeting closed.*

These minutes were confirmed at the meeting of the \_\_\_\_\_

Signed: \_\_\_\_\_

*(Presiding Person at the meeting at which the minutes were confirmed.)*