



Agenda
Audit Committee Meeting

Thursday
15 December 2016

10.00am



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A handwritten signature in black ink, appearing to read 'H. Hawkins', is positioned above the printed name and title.

Harry Hawkins
Chief Executive Officer

08/12/2016

Hack Street, SANDSTONE WA 6639
Tel (08) 9963 5802; Fax (08) 9963 5852
E-mail: - ceo@sandstone.wa.gov.au



WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL

NOTE: USE ONE FORM PER DECLARATION

I, (1) _____ wish to declare an interest in the following item to be considered by council at its meeting to be held on (2)

Agenda item (3) _____

The type of interest I wish to declare is (4)

- Financial pursuant to Sections 5.60A of the Local Government Act 1995
- Proximity pursuant to Section 5.60B of the Local Government Act 1995
- Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995
- Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulation 2007

The nature of my interest is (5)

The extent of my interest is (6)

I understand that the above information will be recorded in the Minutes of the meeting and recorded by the Chief Executive Officer in an appropriate Register.

Signature

Date

RECEIVED BY:

Chief Executive Officer

Date

- (1) Insert your name.
- (2) Insert the date of the Council Meeting at which the item it to be considered.
- (3) Insert the Agenda Item Number and Title.
- (4) Tick the box to indicate the type of interest.
- (5) Describe the nature of your interest.
- (6) Describe the extent of your interest (if seeking to participate in the matter under the s.5.68 of the Act)

Financial pursuant to Sections 5.60A of the Local Government Act 1995
5.60A – Financial Interest

For the purpose of this Subdivision, a person has a financial interest in a matter if it is reasonable to expect that the matter will if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

[Section 5.60A inserted by No. 64 of 1998 s. 30; amended by No. 49 of 2004 s. 50.]

Proximity pursuant to Section 5.60B of the Local government Act 1995

5.60B – Proximity Interest

- (1). For the purposes of this Subdivision, a person has a proximity interest in a matter if the matter concerns –
 - (a). a proposed change to a planning scheme affecting land that adjoins the person's land;
 - (b). a proposed change to zoning or use of land that adjoins that person's land; or
 - (c). a proposed development (as defined in section 5.63 (5)) of land that adjoins the person's land.
- (2). In this section, land ("**the proposal land**") adjoins a person's land if –
 - (a). the proposal land, not being a thoroughfare, has a common boundary with the person's land;
 - (b). the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
 - (c). the proposal land is that part of a thoroughfare that has a common boundary with the person's land.
- (3). In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

[Section 5.60B inserted by No 64 of 1998 s. 30.]

Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995

5.61 – Indirect financial interest

A reference in this Subdivision to an indirect financial interest of a person in a matter includes a reference to a financial relationship between that person and another person who requires a local government decision in relation to the matter.

Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulation 2007

11 – Disclosure of interest

- (1). In this regulation –
Interest means an interest that could, or could reasonably be perceived to; adversely affect the impartiality of the person having the interest arising from kinship friendship or membership of an association.
- (2). A person who is a council member and who has an interest in any matter to be discussed at a council or committee meeting 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.
- (3). Sub-regulation (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4). Sub-regulation (2) does not apply if –
 - (a). A person who is a council member fails to disclose an interest because the person did not know he or she has an interest in the matter; or
 - (b). A person who is a council member fails to disclose an interest because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person disclosed the interest as soon as possible after the discussion began.
- (5). If, under sub-regulation (2)(a), a person who is a council member discloses an interest in a written notice given to the CEO before a meeting then –
 - (a). Before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (b). At the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before a matter to which the disclosure related is discussed.
- (6). If –
 - (a). Under sub-regulation (2)(b) or (4)(b) a person's interest in a matter is disclosed at a meeting; or
 - (b). Under sub-regulation (5) (b) notice of a person's interest in a matter is brought to the attention of the persons present at a meeting.

The nature of the interest is to be recorded in the minutes of the meeting.

Describe the extent of your interest (If seeking to participate in the matter under the s.5.68 of the act)

5.68 – Councils and committees may allow members disclosing interests to participate etc. in meetings

- (1). If a member has disclosed, under section 5.65, an interest in a matter, the members present at the meeting who are entitled to vote on the matter
 - (a). may allow the disclosing member to be present during any discussion or decision making procedure relating to the matter; and
 - (b). may allow , to the extent decided by those members, the disclosing member to preside at the meeting (if otherwise qualified to preside) or to participate in discussions and the decision making procedures relating to the matter if –
 - (i) the disclosing member also discloses the extent of the interest; and
 - (ii) those members decide that the interest –
 - (I) is so trivial or insignificant as to be unlikely to influence the disclosing member's conduct in relation to the matter; or
 - (II) is common to a significant number of electors or ratepayers
- (2). A decision under this section is to be recorded in the minutes of the meeting relating to the matter together with the extent of any participation allowed by the council or committee.
- (3). This sections does not prevent the disclosing member from discussing, or participating in the decision making process on, the question on whether an application should be made to the Minister under section 5.69.



Councilors Claim for Sitting Fees and Travel

Councillor _____

Creditor No _____

<i>Date</i>	<i>Meeting</i>	<i>Sitting Fees</i>	<i>Travel Km's</i>	<i>Amount</i> 74 cents per km
Date of Meeting	Type of Meeting	\$170/ \$340	No of km's	Office Use
	Full Council			

Fees payable are in accordance with the Local Government Act (5.98) – Administration Regulations (30)

Total		Total
<input style="width: 100%;" type="text"/>	Line Item 370	<input style="width: 100%;" type="text"/>
04109		04100
		TOTAL: <input style="width: 100%;" type="text"/>

OTHER MEETINGS ATTENDED IN MONTH

Date	Meeting	Km's	Vehicle supplied?

Signature ← Date

Calculations Checked _____ Date _____

Goods Received / Payme: _____



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**SHIRE OF SANDSTONE
AUDIT COMMITTEE MEETING
TO BE HELD IN THE COUNCIL CHAMBERS, SANDSTONE,
ON THURSDAY 24 MARCH 2016**

1.0 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member, Cr Bethel Walton, to declare the meeting open at 10.00am.

VISITORS

Nil

2.0 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

TBA

3.0 ATTENDANCE

3.1 PRESENT

Cr B Walton	Shire President	Presiding Member
Cr C Hodshon	Deputy President	Committee Member
Cr D Lefroy	Councillor	Committee Member
Cr F May	Councillor	Committee Member

3.2 STAFF ATTENDING

Mr Harry Hawkins	Chief Executive Officer
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3.3 APOLOGIES

Cr K Key	Councillor	Committee Member
Cr JP Bennett	Councillor	Committee Member

3.4 APPROVED LEAVE OF ABSENCE

Nil

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5.0 DECLARATION OF INTEREST

Nil

6.0 PUBLIC QUESTION TIME

6.1 RESPONSE TO PREVIOUSPUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6.2 PUBLIC QUESTIONS WITHOUT NOTICE

7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

COMMITTEE RESOLUTION AC 001/16

Moved Cr

Seconded Cr

That the minutes of the Audit Committee Meeting held on 24 March 2016 are confirmed as a true and accurate record of proceedings

CARRIED

8.0 PRESENTATIONS

8.1 PETITIONS

Nil

8.2 PRESENTATIONS

Nil

8.3 DEPUTATIONS

Nil

8.4 DELEGATES REPORTS

Nil

9.0 OFFICERS REPORTS

9.1 CHIEF EXECUTIVE OFFICER'S REPORTS

9.1.1 Local Government (Audit) Regulations 1996 - Regulation 17 review

Agenda Reference: FIN 12/16 - 01
Location/Address: Shire of Sandstone
Name of Applicant: Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 8 December 2016
File No:
Previous References:
Author: Harry Hawkins CEO
Senior Officer:



Signature of Author:

Summary

The Audit Committee is asked to consider the review conducted of Audit Regulation 17 as undertaken by Civic Legal and make a recommendation to Council.

Attachments

Report prepared by Civic Legal

Background

All local governments are required to complete each 2 years a review of Audit Regulation 17 in relation to risk management, internal control and legislative compliance.

This review for the Shire of Sandstone was due in 2016 and Civic Legal was engaged to undertake the review from a legalistic point of view rather than a purely risk management framework that was used in most regional local governments for the 2014 review.

Comment

Presented for the Audit Committee's consideration and recommendation to Council is the Shire of Sandstone's Audit Regulation 17 review as undertaken by Civic Legal.

The report will be worked through and procedures where considered relevant will be updated to take into the account short comings identified by Civic Legal in the areas examined in the review.

It should be noted that this year the 4 yearly Financial Management Review (FMR) was also due and undertaken by the shire's auditors RSM at the same time as the audit of the Annual Financial Report and some of the recommendations in this regulation 17 report will apply to the FMR.

Consultation
Civic Legal

Statutory Environment

Local Government (Audit) Regulations 1995 – Regulation 17.

- (1)The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to —
- (a) risk management; and
 - (b) internal control; and
 - (c) legislative compliance.
- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.
- (3) The CEO is to report to the audit committee the results of that review.

Policy Implications

Some policies may need to be changed to implement the recommendations made by Civic Legal in their comments

Financial Implications

No direct costs are associated with the implementation of recommendations in this review.

Strategic Implications

Nil

Voting Requirements

Simple Majority

Officer Recommendation Item 10.1.1

That the Audit Committee advises Council it has considered the Audit Regulation 17 review prepared by Civic Legal and recommends:

That Council accept the Audit Regulation 17 review report as attached.

COMMITTEE RESOLUTION	AC 003/16
Moved	Cr
Seconded	Cr
That the Audit Committee advises Council it has considered the Audit Regulation 17 review prepared by Civic Legal and recommends:	
That Council accept the Audit Regulation 17 review report as attached.	
Not/Carried (??)	

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

11. QUESTIONS FROM MEMBERS WITHOUT NOTICE

TBA

12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil

13. MEETING CLOSED TO THE PUBLIC

13.1 MEETING CLOSED TO THE PUBLIC

13.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE TO THE PUBLIC

TIME AND DATE OF NEXT MEETING

Meetings will be called as required.

14 CLOSURE OF MEETING

There being no further business, the Presiding member closed the meeting at _____ PM

CERTIFICATION

I, Cr Beth Walton, certify that the minutes of the meeting held on the 24 March 2016 as shown were confirmed as a true record at the meeting held on the _____.

Presiding Member

Date: _____