



# Agenda

## Audit Committee Meeting

Thursday  
27 April 2017

10.30am



## AUDIT COMMITTEE MEETING NOTICE PAPER

**27<sup>th</sup> April 2017**

President and Councillors,

An Audit Committee meeting is called for Thursday 27<sup>th</sup> April 2017, in Council Chambers, Hack Street, Sandstone, commencing at 10.30am.

A handwritten signature in black ink, appearing to read 'H. Hawkins', is positioned above the printed name of the Chief Executive Officer.

**Harry Hawkins**  
**Chief Executive Officer**

31/03/2017

### **PUBLIC QUESTION TIME**

A 15 minute public question time is available to allow members of the public the opportunity of submitting questions to Council on matters concerning them. Questions should be submitted in writing prior to the meeting. The questions will be addressed by the President or their nominated person. Where an answer cannot be given at the meeting, a reply will be given in writing subsequent to the meeting.

Discussion will not be allowed.



**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 you 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.



**AUDIT COMMITTEE MEETING TO BE HELD ON 27 April 2017**  
**AGENDA SUMMARY and TABLE OF CONTENTS**

<b>PAGE</b>	<b>AGENDA</b>	<b>ITEM</b>	<b>MINUTE No.</b>
<b>13</b>	1.0	Declaration of Opening and Announcement of any Visitors	
<b>13</b>	2.0	Announcements from the Presiding Member and/or Councillors (without discussion unless otherwise determined)	
<b>13</b>	3.0	Attendance	
<b>13</b>	4.0	Response to Previous Public Questions Taken on Notice	
<b>13</b>	6.0	Declarations of Interest	
<b>14</b>	7.0	Public Question Time	
<b>15</b>	10.0	Officer's Reports	
<b>15</b>	10.1	Chief Executive Officer's Reports	
	10.1.1	Compliance Audit Return	
<b>25</b>	11	Motions of which Previous Notice Has Been Given	
<b>25</b>	12	Questions from Members Without Notice	
<b>25</b>	13	New Business of an Urgent Nature Introduced by Decision of the Meeting	
<b>26</b>	14	Meeting Items Closed to the Public	
<b>26</b>	14	Time and Date of Next Meeting	
<b>26</b>	15	Closure of the Meeting	
<b>26</b>		Certification of the Minutes of the Previous Meeting(s)	



**AGENDA and STAFF REPORTS**  
**AUDIT COMMITTEE MEETING TO BE HELD IN**  
**COUNCIL CHAMBERS, SANDSTONE ON THURSDAY, 27 April 2017**

**1 DECLARATION OF OPENING AND ANNOUNCEMENT OF ANY VISITORS**

The Presiding Member, Cr Bethel Walton (Shire President) to declare the Meeting open at 10.30am.

**2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER AND/OR COUNCILLORS  
(without discussion unless otherwise determined)**

Nil

**3 ATTENDANCE**

**3.1 Present**

**Elected Members**

Cr B (Bethel) Walton	Shire President (and Presiding member of this Meeting)
Cr C (Carol) Hodshon	Deputy Shire President
Cr F (Freda) May	
Cr D (David) Lefroy	
Cr K (Kerry) Key	
Cr J P Bennett	

**Staff Members**

Mr Harry Hawkins	Chief Executive Officer
------------------	-------------------------

**3.2 Apologies**

**3.3 Approved Leave of Absence**

**4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

## 6 DECLARATIONS OF INTEREST

- 6.1 Declarations of Financial Interest
- 6.2 Declarations of Proximity Interest
- 6.3 Declarations of Indirect Financial Interest
- 6.4 Declarations of Impartiality Interest

## 7 PUBLIC QUESTION TIME

Nil

## CHIEF EXECUTIVE OFFICER'S REPORTS

### 2016 Compliance Audit Return

**Agenda Reference:** CEO 04/17 – 01  
**Location/Address:** Shire of Sandstone  
**Name of Applicant:** Shire of Sandstone  
**Disclosure of Interest:** Nil  
**Date of Report:** 31 March 2017  
**Author:** Harry Hawkins, Chief Executive Officer

### Summary

The Audit Committee review the Compliance Audit Return for 2016 and Recommend it to Council for adoption.

### Attachments

A copy of the completed return is attached to this item.

### Background

All local governments are required to complete and submit a Compliance Audit Return for the previous calendar year by the 31<sup>st</sup> March of the following year.

### Comment

The Shire's Compliance Audit Return was completed in house by CEO Harry Hawkins utilising file records and registers. No major points or any breaches were noted.

### Consultation

Nil



**Statutory Environment**

Local Government (Audit) Regulations 1996 – 15 (1)

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Voting Requirements**

Absolute majority

**Committee Recommendation**

That the Audit Committee recommend Council adopt the 2016 Compliance Audit Return as presented, with no identified areas of non-compliance, and it be submitted to the Department of Local Government and Communities.

**STAFF RECOMMENDATION**

**MOVED: Cr**

**SECONDED: Cr**

That the Audit Committee recommend Council adopt the 2016 Compliance Audit Return as presented, with no identified areas of non-compliance, and it be submitted to the Department of Local Government and Communities

**CARRIED/NOT CARRIED (??)**

**11. NEW URGENT BUSINESS INTRODUCED BY DECISION OF THE MEETING**

Nil

**12. CONFIDENTIAL ITEMS**

Nil

**13. COUNCILLOR REPORTS**

**14. TIME AND DATE OF NEXT MEETING**

Meetings will be called as required.

**15. CLOSURE OF THE MEETING**