



Minutes  
Audit Committee

Thursday  
27 February 2020

11.30am



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**Eddie Piper**  
**Acting Chief Executive Officer**

7/2/2020

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## 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 section 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
27/2/2020	Audit Committee			

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 / Payment Approved \_\_\_\_\_



**AUDIT COMMITTEE MEETING TO BE HELD ON 27 February 2020**  
**AGENDA SUMMARY and TABLE OF CONTENTS**

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7	2.0	Announcements from the Presiding Member and/or Councillors (without discussion unless otherwise determined)	
7	3.0	Attendance	
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8	7.0	Confirmation of Minutes of the Meeting held 19 December 2019	01/20
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8	9.1	Chief Executive Officer's Reports	
9	9.1.1	Compliance Audit Return 2019	02/20
10	9.1.2	Significant Adverse Trend 2018-19 Audit Report	03/20
12	11	New Business of an Urgent Nature Introduced by Decision of the Meeting	
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12		Closure of the Meeting	

**SHIRE OF SANDSTONE  
AUDIT COMMITTEE MEETING  
TO BE HELD IN THE COUNCIL CHAMBERS, SANDSTONE,  
ON THURSDAY 27<sup>TH</sup> FEBRUARY 2020**

**1.0 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The Presiding Member, Cr Bethel Walton, will declare the meeting open at 11.36am.

**VISITORS**

Nil

**2.0 ANNOUNCEMENTS FROM THE PRESIDING MEMBER**

Nil

**3.0 ATTENDANCE**

**3.1 PRESENT**

Cr B Walton	Presiding Member
Cr C Hodshon	Committee Member
Cr D Lefroy	Committee Member
Cr F May	Committee Member
Cr K Key	Committee Member
Cr V McQuie	Committee Member

**3.2 STAFF ATTENDING**

Mr Eddie Piper	Acting Chief Executive Officer
David Holland	Works Supervisor

**3.3 APOLOGIES**

Mr Harry Hawkins     Chief Executive Officer on sick leave

**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**

### **Staff Recommendation**

**Moved** Cr Key  
**Seconded** Cr Lefroy

That the minutes of the Audit Committee Meeting held on 19 December 2019 are confirmed as a true and accurate record of proceedings

**CARRIED 6/0**

## **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**

#### **CHIEF EXECUTIVE OFFICER'S REPORTS**

### 9.1.1 2019 Compliance Audit Return

<b>Agenda Reference:</b>	CEO 02/20
<b>Location/Address:</b>	Shire of Sandstone
<b>Name of Applicant:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	7 February 2020
<b>Author:</b>	Eddie Piper, Acting Chief Executive Officer

#### **Summary**

The Audit Committee is asked to review the Compliance Audit Return for 2019 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 Acting CEO Eddie Piper utilising file records and registers. No major points or breaches were noted again in 2019. Several questions were answered "No" however these relate to optional question no 1 which relates to the Audit Regulation 17 review which is due this year 2020, and question 2 where the internal review is also due this year 2020. All of these reviews have been arranged for February 2020.

#### **Consultation**

Nil

#### **Statutory Environment**

Local Government (Audit) Regulations 1996 Regulations 14 and 15

#### **Policy Implications**

Nil

#### **Financial Implications**

Nil

## **Strategic Implications**

Nil

## **Voting Requirements**

Simple Majority

## **Staff Recommendation**

**MOVED: Cr Lefroy**

**SECONDED: Cr McQuie**

That the Audit Committee recommend Council adopt the 2019 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 (6/0)**

### **9.1.2 Significant Adverse Trend 2018-19 Audit Report**

<b>Agenda Reference:</b>	CEO 02/20
<b>Location/Address:</b>	Shire of Sandstone
<b>Name of Applicant:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	13 February 2020
<b>Author:</b>	Eddie Piper, Acting Chief Executive Officer

## **Summary**

The Audit Committee is asked to review the Report by the Acting Chief Executive Officer (ACEO) on the audit statement regarding a matter of significant adverse trend with the Own Source Revenue Coverage ratio of the Shire.

## **Attachments**

The report by the ACEO on the significant adverse trend with the Own Source Revenue Coverage ratio.

## **Background**

Section 7.12A94) of the Local Government Act 1995 (the Act) requires a local government to prepare a report stating what action has been taken or is intended to be taken in respect to matters raised within the audit report, and to forward a copy of the report to the Minister within three (3) months of receiving the audit report.

The Shire's audit report included a statement that there was an significant adverse trend in relation to the Own Source Revenue Coverage ratio which needed addressing.

### **Comment**

The ACEO has prepared a report titled 2018-19 Action Report – Significant Adverse Trend – Report on Actions to be Implemented - Own Source Revenue Coverage Ratio (attached) and it is presented for consideration.

The conclusion reached in the report is that the Council accept the adverse trend in the Own Source Revenue Coverage ratio, however, take no further action as the corrective actions would lead to a rating revenue increase over and above a normal annual increase.

### **Consultation**

Nil

### **Statutory Environment**

Local Government Act 1195 section 7.12A(4)

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Strategic Implications**

Nil

### **Voting Requirements**

Simple Majority

### **Staff Recommendation**

**MOVED: Cr May**

**SECONDED: Cr Hodshon**

That the Audit Committee:

- 1. Receive the attached 2018-19 Action Report – Significant Adverse Trend – Report on Actions to be Implemented – Own Source Revenue Coverage ratio*
- 2. Recommend the endorsement of the attached 2018-19 Action Report – Significant Adverse Trend – Report on Actions to be Implemented – Own Source Revenue Coverage ratio (the Report).*

3. *Following the endorsement of the Report by Council, authorise the ACEO to forward a copy of the report to the Minister and to publish the report on the Shire of Sandstone's official website.*

**Carried (6/0)**

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

Nil

**12. MEETING CLOSED TO THE PUBLIC**

**12.1 MEETING CLOSED TO THE PUBLIC**

**12.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE TO THE PUBLIC**

**TIME AND DATE OF NEXT MEETING**

Meetings will be called as required.

**13 CLOSURE OF MEETING**

There being no further business, the Presiding member closed the meeting at 11.43AM

**CERTIFICATION**

I, Cr Beth Walton, certify that the minutes of the meeting held on the 19<sup>th</sup> December 2019 as shown were confirmed as a true record at the meeting held on the 27<sup>th</sup> February 2020

\_\_\_\_\_  
**Presiding Member**

Date: \_\_\_\_\_