



SHIRE OF NORTHAM

**MINUTES OF THE
AUDIT COMMITTEE MEETING
HELD ON
WEDNESDAY
28 NOVEMBER 2012**

SHIRE OF NORTHAM

MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 28 NOVEMBER 2012.

	Page
1. DECLARATION OF OPENING AND WELCOME	3
2. DECLARATION OF INTEREST	4
3. ATTENDANCE	4
4. APOLOGIES	4
5. CONFIRMATION OF MINUTES	5
6. AGENDA ITEMS	6
6.1 MEETING WITH THE SHIRE OF NORTHAM AUDITORS.....	6
6.2 SHIRE OF NORTHAM 2011/2012 ANNUAL REPORT	9
6.3 2011/2012 ANNUAL ELECTORS GENERAL MEETING.....	12
7. CLOSURE OF MEETING	15

SHIRE OF NORTHAM

Minutes of the Audit Committee Meeting of Council held in the Council Chambers on WEDNESDAY, 28 November 2012.

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Northam for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Northam disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Northam during the course of any meeting is not intended to be and is not taken as notice or approval from the Shire of Northam. The Shire of Northam warns that anyone who has an application lodged with the Shire of Northam must obtain and only should rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Northam in respect of the application.

1. **DECLARATION OF OPENING AND WELCOME**

Cr S B Pollard declared the meeting open at 5.38pm

2. DECLARATION OF INTEREST

Parts of Division 6 Subdivision 1 of the Local Government Act 1995 requires Council members and employees to disclose any direct or indirect financial interest or general interest in any matter listed in this agenda.

The Act also requires the nature of the interest to be disclosed in writing before the meeting or immediately before the matter being discussed.

NB A Council member who makes a disclosure must not preside or participate in, or be present during, any discussion or decision making procedure relating to the disclosed matter unless the procedures set out in Sections 5.68 or 5.69 of the Act have been complied with.

3. ATTENDANCE

COUNCIL

President	Cr S B Pollard
Councillors	T M Little
	K D Saunders
	U Rumjantsev
	D A Hughes
	D G Beresford
	J E Williams
	R M Head
	A W Llewellyn
Executive Manager Corporate Services	D R Gobbart
Executive Manager Community Services	J McGready
Executive Manager Development Services	P B Steven
Executive Manager Engineering Services	S Lee
UHY Haines Norton Auditor	G Godwin
PA to Executive Manager Corporate Services	V Jones

4. APOLOGIES

Cr R W Tinetti

5. CONFIRMATION OF MINUTES

Minute No AU025

Moved: Cr R M Head

Seconded: Cr D A Hughes

That the Minutes of the Audit Committee Meeting held on Wednesday, 5 October 2011 be confirmed as a true and correct record of that meeting.

CARRIED 9/0

6. AGENDA ITEMS

6.1 MEETING WITH THE SHIRE OF NORTHAM AUDITORS

Submission To:	Internal Report
Name of Applicant:	N/A
Location / Address:	N/A
File Ref:	8.2.7.1
Officer:	Denise Gobbart
Officer Interest::	Nil
Policy/Legislation:	Local Government Act 1995, Local Government (Audit) Regulations 1996, DLGRD Operational Guidelines-Audit Committees in Local Government No 9
Voting:	Simple Majority
Date:	12/11/2012

PURPOSE

For the Audit Committee to meet with Council’s Auditor Mr Greg Godwin from UHY Haines Norton, to discuss the 2011/12 audit.

BACKGROUND

On appointment of the audit committee, it was given delegated authority to meet with the Auditor of the local government at least once in every year, pursuant to Section 7.12A(2) the Local Government Act 1995.

The Local Government Act does not require the Audit Committee to meet with the Auditor rather the local Government is to meet with the Auditor at least once each year.

STATUTORY REQUIREMENTS

Local Government Act 1995 Section 7.12A. Duties of local government with respect to audits

- (1) A local government is to do everything in its power to —
 - (a) assist the auditor of the local government to conduct an audit and carry out his or her other duties under this Act in respect of the local government; and
 - (b) ensure that audits are conducted successfully and expeditiously.

- (2) Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.
- (3) A local government is to examine the report of the auditor prepared under section 7.9(1), and any report prepared under section 7.9(3) forwarded to it, and is to —
 - (a) determine if any matters raised by the report, or reports, require action to be taken by the local government; and
 - (b) ensure that appropriate action is taken in respect of those matters.
- (4) A local government is to —
 - (a) prepare a report on any actions under subsection (3) in respect of an audit conducted in respect of a financial year; and
 - (b) forward a copy of that report to the Minister, by the end of the next financial year, or 6 months after the last report prepared under section 7.9 is received by the local government, whichever is the latest in time.

[Section 7.12A inserted by No. 49 of 2004 s. 8.]

CONFORMITY WITH THE PLAN FOR THE FUTURE

Nil

BUDGET IMPLICATIONS

Nil

OFFICER'S COMMENT

Topics to be discussed with the auditor include;

- Review of Shire of Northam Auditors Report
- Review of Shire of Northam Management Report
- Review of the Shire of Northam Financial Management Review Report
- General Business

Mr Greg Godwin, UHY Haines Norton addresses the meeting outlining the Audit process and the Financial Management Review process that is undertaken every four years. UHY Haines Norton audit approximately 55/60 local governments in the state. With the recent reviews undertaken, Northam has one of the lowest levels off issues raised in all the reviews they had undertaken. Mr Godwin highlighted the importance of Council involvement in the Budget process and the material variance requirements.

No matters of non-compliance were raised in the Audit Report. Matters raised were Trust, Tender Register and two ratios with relating to rates coverage and outstanding rates.

The Financial Management Review identified that a review of the receipting procedures at the Swimming Pool revealed with most payments being made in cash gives the risk that money may not be receipted. The Executive Manager Corporate Services, Denise Gobbart advised that spot checks will be undertaken at both the Northam and Wundowie swimming pools will be done throughout the season.

A Discussion occurred with the following matters raised;

Recognition of grant revenue

Timing differences in financial reports

Audit Committee frequency – with a possibility of meeting prior to the interim audit

RECOMMENDATION

Minute No AU026

Moved: Cr R M Head

Seconded: Cr D G Beresford

- 1. That a meeting between the Audit Committee and the Auditor would satisfy the requirements of Section 7.12A(2) the Local Government (Audit) Regulations 1996 and that the minutes of the meeting show the auditor was involved and the matters discussed.**
- 2. That the verbal report by the Shire Auditor Mr Greg Godwin from UHY Haines Norton be noted in the minutes and received.**
- 3. Council congratulate the Finance staff on their outstanding efforts in meeting the 2011/2012 audit requirements.**

Carried 9/0

6.2 SHIRE OF NORTHAM 2011/2012 ANNUAL REPORT

Submission To:	Internal Report
Name of Applicant:	N/A
Location / Address:	N/A
File Ref:	8.2.7.1
Officer:	Denise Gobbart
Officer Interest:	Nil
Policy/Legislation:	Local Government Act 1995 & LG (FM) Regs 1996
Voting:	Simple Majority
Date:	12/11/2012

PURPOSE

For Council to consider and if acceptable receive the Annual Report for the year ended 30 June 2012 for the Shire of Northam.

BACKGROUND

The Annual Financial Report for the year ended 30 June 2012 was completed and presented to the Shire of Northam's auditor on Monday 3 September 2012, for audit. The Audit was completed and signed off on 12 October 2012.

Section 5.54 'Acceptance of Annual Reports' of the Local Government Act 1995 requires a Annual Report to be accepted by Council by 31 December in each year unless the Auditors Report is not available in time.

The Local Government Act 1995 Section 5.54(2) requires that if the Annual Report is not accepted by the Local Government by 31 December then it must be presented within two (2) months of the Auditors Report becoming available.

It is intended that the advert will be placed in the 'Gazette' Saturday's 1, 8 & 15 December 2012 and in the 'Advocate' Wednesday's 5, 12 & 19 December 2012.

STATUTORY REQUIREMENTS

Local Government Act 1995 Section 5.53 Annual Reports;

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual report is to contain -*
 - (a) *a report from the mayor or president; and*
 - (b) *a report from the CEO; and*
 - [(c), (d) deleted]*

- (e) *an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and*
- (f) *the financial report for the financial year; and*
- (g) *such information as may be prescribed in relation to the payments made to employees; and*
- (h) *the auditor's report for the financial year; and*
- (ha) *a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and*
- (hb) *details of entries made under section 5.121 during the financial year in the register of complaints, including —*
 - (i) *the number of complaints recorded in the register of complaints;*
 - (ii) *how the recorded complaints were dealt with; and*
 - (iii) *any other details that the regulations may require; and*
 - (i) *such other information as may be prescribed.*

Local Government Act 1995 Section 5.54 Acceptance of Annual Reports;

- (1) *Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.*

** Absolute majority required.*

- (2) *If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.*

Local Government Act 1995 Section 5.55 Notice of Annual Reports;

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

CONFORMITY WITH THE PLAN FOR THE FUTURE

Nil

BUDGET IMPLICATIONS

Nil

OFFICER'S COMMENT

Council is requested to accept the Annual Report for the year ended 30 June 2012 for the Shire of Northam.

A copy of the management letter is also attached for council perusal for comment.

RECOMMENDATION

Minute No AU027

Moved: Cr U Rumjanstev

Seconded: Cr R M Head

That the Audit Committee in accordance with;

- 1. sections 5.53 and 5.54 of the Local Government Act 1995, accepts the Annual Report for the 2011/2012 financial year;**
- 2. section 5.55 of the Local Government Act 1995, authorise the Chief Executive Officer to give public notice of the availability of the Annual Report from Friday, 30 November 2012.**

Carried 9/0

6.3 2011/2012 ANNUAL ELECTORS GENERAL MEETING

Submission To:	Internal Report
Name of Applicant:	N/A
Location / Address:	N/A
File Ref:	8.2.7.1
Officer:	Denise Gobbart
Officer Interest:	Nil
Policy/Legislation:	Local Government Act 1995 & LG (FM) Regs 1996
Voting:	Simple Majority
Date:	12/11/2012

PURPOSE

For Council to consider and endorse the date for the Annual Electors General Meeting set by the Chief Executive Officer.

BACKGROUND

The Annual Electors General Meeting is to be held within 56 days of the local government accepting the Annual Report.

A requirement of setting the date is that 14 days local public notice is required for advertising the meeting.

The closing period for adverts to be placed in the “Gazette” is Thursday Morning, this would mean the earliest edition for an advert to be displayed is Saturday, 1 December 2012, and this would allow the meeting to be held no earlier than Saturday, 15 December 2012. The last eligible day for holding the meeting would be Saturday, 26 January 2012.

STATUTORY REQUIREMENTS

Local Government Act 1995 Section 5.27 Electors' general meetings;

- (1) *A general meeting of the electors of a district is to be held once every financial year.*
- (2) *A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*

- (3) *The matters to be discussed at general electors' meetings are to be those prescribed.*

Local Government (Administration) Regulation No 15 Matters for discussion at general electors' meetings - s. 5.27(3)

For the purposes of section 5.27(3), the matters to be discussed at a general electors' meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.

Local Government Act 1995 Section 5.29 Convening Electors' Meetings;

- (1) *The CEO is to convene an electors' meeting by giving –*
- (a) *at least 14 days' local public notice; and*
 - (b) *each council member at least 14 days' notice, of the date, time, place and purpose of the meeting.*
- (2) *The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.*

CONFORMITY WITH THE PLAN FOR THE FUTURE

Nil

BUDGET IMPLICATIONS

Nil

OFFICER'S COMMENT

Council is requested to endorse the date set, in accordance with the Local Government Act, for the Annual Electors General Meeting.

RECOMMENDATION

That Council holds the Annual Electors General Meeting on Wednesday 19 December 2012 at 4.30pm in the Shire of Northam Council Chambers.

ALTERNATIVE MOTION

Minute No AU028

Moved: Cr R M Head
Seconded: Cr D A Hughes

That Council holds the Annual Electors General Meeting on Wednesday, 19 December 2012 at 7.30pm in the Shire of Northam Council Chambers.

Lost 4/5

Vote against is recorded as:

Cr K D Saunders
Cr A W Llewellyn
Cr S B Pollard
Cr T M Little
Cr J E Williams

Vote for is recorded as:

Cr R M Head
Cr D G Beresford
Cr D A Hughes
Cr U Rumjantsev

RECOMMENDATION/ COUNCIL DECISION

Minute No AU029

Moved: Cr K D Saunders
Seconded: Cr T M Little

That Council holds the Annual Electors General Meeting on Wednesday, 19 December 2012 at 4.30pm in the Shire of Northam Council Chambers.

Carried 6/3

7. CLOSURE OF MEETING

There being no further business the Presiding Officer declared the meeting closed at 6.32pm.

"I certify that the Minutes of the Audit Committee Meeting held on Wednesday, 28 November 2012 have been confirmed as a true and correct record."

_____ President

_____ Date