



Shire of Mukinbudin Audit Committee Meeting **UNCONFIRMED MINUTES**

Audit Committee Meeting held at
15 Maddock St, Mukinbudin
Commencing at 11.38AM Tuesday 22nd March 2022

Dirk Sellenger
CHIEF EXECUTIVE OFFICER

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ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

Council is committed to a code of conduct and all decisions are based on an honest assessment of the issue, ethical decision-making and personal integrity. Councillors and staff adhere to the statutory requirements to declare financial, proximity and impartiality interests and once declared follow the legislation as required.

7.1B. Delegation of some powers and duties to audit committees

- (1) Despite section 5.16, the only powers and duties that a local government may delegate* to its audit committee are any of its powers and duties under this Part other than this power of delegation.

** Absolute majority required.*

- (2) A delegation to an audit committee is not subject to section 5.17.

[Section 7.1B inserted by No. 49 of 2004 s. 5.]

7.1C. Decisions of audit committees

Despite section 5.20, a decision of an audit committee is to be made by a simple majority.

[Section 7.1C inserted by No. 49 of 2004 s. 5.]

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Agenda of the Audit Committee Meeting held in Council Chambers, Maddock Street, Mukinbudin on 22 March 2022.

1. Declaration of Opening

1.1 The Shire President declared the Meeting open at 11.38am

2. Record of attendance, apologies and approved leave of absence

2.1 Present:

Cr Gary Shadbolt – President
 Cr Geoff Bent
 Cr Romina Nicoletti
 Cr Sandie Ventris (via MS Teams)
 Cr Ashley Walker
 Cr Abi Farina
 Cr Callum McGlashan
 Cr Jeff Seaby

2.2 Staff:

Mr Dirk Sellenger – Chief Executive Officer
 Mrs Louise Sellenger – Manager of Corporate Services

2.3 Apologies:

Cr Steve Paterson
 Mr Ed Nind – Finance Manager

2.5 Visitors:

2.6 Gallery:

3. Confirmation of the Minutes of previous meetings

3.1 Confirmation of Minutes for the Audit Committee Meeting of Council held on 21st December 2021.

Voting Requirement

Simple Majority

OFFICER RECOMMENDATION

Council Decision Number – 01 03 2022

Moved: Cr McGlashan

Seconded: Cr Seaby

That the Minutes of the Audit Committee Meeting of Council held on 21st December 2021 be accepted as a true and correct record of proceedings.

Carried 9 / 0

4. Matters for which the meeting may be closed

7.1 Nil

5. Reports of Officers

5.1 Shire of Mukinbudin - Compliance Audit Return - 31 December 2021	
Location:	Mukinbudin
File Ref:	ADM289
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	15 March 2022
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Ed Nind, Finance Manager
Documents Attached	Shire of Mukinbudin - Compliance Audit Return - 31 December 2021 (11 Pages)

Report Purpose

To present the 31 December 2021 Compliance Audit Return (CAR) to the Audit Committee first, then Council for adoption, and then electronically certified copy to the Department of Local Government and Communities.

Background

Every Local Government in Western Australia is required to complete a Compliance Audit Return (CAR) each year ending 31 December. Over the past two years, the CAR has been reduced substantially with many of the questions deleted that were also subject to inspection by Council Auditors.

Local Government (Audit) Regulations 1996 reg 14 and 15 states:

“14. Compliance audits by local governments

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) The local government’s audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —*
 - (a) presented to the council at a meeting of the council; and*
 - (b) adopted by the council; and*
 - (c) recorded in the minutes of the meeting at which it is adopted.*

[Regulation 14 inserted in Gazette 23 Apr 1999 p. 1724-5; amended in Gazette 30 Dec 2011 p. 5580-1.]

15. Compliance audit return, certified copy of etc. to be given to Executive Director

- (1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*
 - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
 - (b) any additional information explaining or qualifying the compliance audit,*

is to be submitted to the Executive Director by 31 March next following the period to which the return relates.
- (2) In this regulation —*

certified in relation to a compliance audit return means signed by —

- (a) the mayor or president; and*
- (b) the CEO.*

[Regulation 15 inserted in Gazette 23 Apr 1999 p. 1725.]”

Comment

A draft copy of the Shire of Mukinbudin 2021 Compliance Audit Return has been prepared by the CEO and provided to Audit Committee members/Councillors for consideration (see separate attachment).

Most questions in the CAR were answered in the ‘affirmative’ or ‘not applicable’ where appropriate except for the deadline for local government submit to its auditor by 30 September 2021 the balanced accounts and annual financial report for the year ending 30 June 2021 for which Ministerial extension approval was requested and granted.

The auditors report was presented to the Audit committee on 21 December 2021. The Audit Committee minutes with the Auditor’s report was received by the local government on 15th February 2022.

At the time of preparing this report the CEO is unaware of any serious areas of non-compliance between 1 January 2021 and 31 December 2021 with the *Local Government Act 1995* or its associated Regulations.

Statutory Environment

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Local Government (Functions and General) Regulations 1996

Local government (Administration) Regulations 1996

Local Government (Audit) Regulations 1996

Local Government (Constitution) Regulations 1998

Local Government (Elections) Regulations 1997

Local Government Act 1960 (Miscellaneous Provisions)

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Committee Decision Number – 02 03 2022

Moved: Cr Bent

Seconded: Cr Walker

That the Audit Committee recommend to Council that the 2021 Compliance Audit Return

- be signed by the CEO and Shire President; and
- be received and recorded in the minutes of Council; and
- be submitted to the Executive Director of the Department of Local Government and Communities.

Carried 9 / 0

6. Closure of Meeting

The Chairperson thanked Elected Members and Staff for attending and declared the meeting closed at 11.42am.