



## **SHIRE OF NORTHAM**

**NOTICE FOR  
AUDIT COMMITTEE MEETING  
COMMENCING AT  
5:00 PM  
WEDNESDAY  
18 DECEMBER 2013**

**Councillors:**

**Please be advised that the next Audit Committee Meeting will be held as above.**

**D R Gobbart  
EXECUTIVE MANAGER CORPORATE SERVICES  
13 December 2013**

# SHIRE OF NORTHAM

## SUMMARY OF AGENDA TO BE PRESENTED TO THE AUDIT COMMITTEE MEETING TO BE HELD ON 18 DECEMBER 2013 AT 5:00 PM

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# SHIRE OF NORTHAM

## Notice and Agenda of an Audit Committee Meeting of Council to be held in the Council Chambers on WEDNESDAY, 18 December 2013 at 5:00pm

### 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**

#### 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  
Councillors

Cr S B Pollard  
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

**4. APOLOGIES**

**5. LEAVE OF ABSENCE**

Cr R W Tinetti has been granted leave of absence between the following dates:  
2 December 2013 to 20 December 2013.

**6. ELECTION OF PRESIDING MEMBER**

**7. CONFIRMATION OF MINUTES**

**That the Minutes of the Audit Committee Meeting held on Wednesday, 14 August 2013 be confirmed as a true and correct record of that meeting.**

## 8. AGENDA ITEMS

### 8.1 MEETING WITH THE SHIRE OF NORTHAM AUDITORS

Name of Applicant:	Internal Report
File Ref:	8.2.7.1
Officer:	Denise Gobbart
Officer Interest:	N/A
Policy:	Local Government Act 1995, Local Government (Audit) Regulations 1996, DLGRD Operational Guidelines-Audit Committees in Local Government No 9
Voting:	Simple Majority
Date:	13 December 2013

#### PURPOSE

Council to accept telephone conversation link up with Council's Auditor Mr Greg Godwin from UHY Haines Norton.

#### 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.

It should be noted that there will be a fee involved for the auditor to visit the Shire of Northam in person due to travelling and time.

A telephone link up has been arranged with Council's Auditor Mr Greg Godwin from UHY Haines Norton at 5.00pm. NB: Mr Godwin will be available for approximately 45 minutes.

#### 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.

### **CONFORMITY WITH THE COMMUNITY STRATEGIC PLAN**

Key Result Area: Improve organisational capability and capacity

Outcome: Operate in a financially sustainable manner

### **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
- General Business

### **RECOMMENDATION**

1. **That a meeting between the Audit Committee and the Auditor by telephone 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.**

## 8.2 SHIRE OF NORTHAM 2012/2013 ANNUAL REPORT

Name of Applicant:	Internal Report
File Ref:	8.2.7.1
Officer:	Denise Gobbart
Officer Interest:	N/A
Policy/Legislation:	Local Government Act 1995 & LG (FM) Regs 1996
Voting:	Simple Majority
Date:	13 December 2013

### PURPOSE

For Council to consider and if acceptable receive the Annual Report for the year ended 30 June 2013 for the Shire of Northam.

### BACKGROUND

The Annual Financial Report for the year ended 30 June 2013 was completed and presented to the Shire of Northam's auditor on Monday, 30 September 2013, for audit. The Audit was completed and signed off on Friday, 13 December 2013.

Section 5.54 'Acceptance of Annual Reports' of the Local Government Act 1995 requires an Annual Report to be accepted by Council by 31 December in each year unless the Auditors Report is not available in time. Due to the Auditors report being signed off until 13 December 2013 the next available Council Meeting for this to be endorsed is 18 December 2013 and presented as a late item. 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 advising of the Annual Electors Meeting and 2012/2013 Annual Report availability will be placed in the West Australian, Avon Valley Gazette on Saturday 11 January 2014 and in the Avon Valley Advocate, Wednesday 8 January 2014. Notices will be placed on our Notice Boards and the website.

### 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 COMMUNITY STRATEGIC PLAN**

N/A

**BUDGET IMPLICATIONS**

N/A

**OFFICER'S COMMENT**

Council is requested to accept the Annual Report for the year ended 30 June 2013 for the Shire of Northam.



## **RECOMMENDATION**

**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 2012/2013 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, 20 December 2013.**

### 8.3 2012/2013 ANNUAL ELECTORS GENERAL MEETING

Name of Applicant:	Internal Report
File Ref:	8.2.7.1
Officer:	Denise Gobbart
Officer Interest:	N/A
Policy/Legislation:	Local Government Act 1995 & LG (FM) Regs 1996
Voting:	Simple Majority
Date:	13 December 2013

#### 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. Providing the Annual Report is endorsed at Council meeting held on 18 December 2013 the last eligible day for holding the meeting would be 12 February 2014.

The closing period for adverts to be placed in the Avon Valley Gazette and Avon Valley Advocate is Thursday morning however over the Christmas period these deadlines have been changed and the notice would not make this. This would mean the earliest edition for an advert to be placed in the Hills Gazette would be the 11 January 2014 and the 8 January 2014 for the Avon Valley Advocate. This would allow the meeting to be held no earlier than Wednesday, 22 January 2013.

#### 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 COMMUNITY STRATEGIC PLAN**

N/A

**BUDGET IMPLICATIONS**

N/A

**OFFICER'S COMMENT**

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

To meet the statutory requirements for advertising, it is intended to place a public notice in The West Australian by Tuesday, 24 December 2013. In addition to this, notice will be given on the website, notice boards. In addition we can advertise using the radio.

**RECOMMENDATION**

**That Council;**

**Holds the Annual Electors General Meeting on Wednesday, 15 January 2014 at 4.30pm in the Shire of Northam Council Chambers.**

**9. CLOSURE OF MEETING**