



Unconfirmed Minutes

Audit Committee Meeting

Held at 5.00pm Tuesday,
17 December 2024

NOTICE OF MEETING

Notice is hereby given that the

Shire of Ravensthorpe

Audit Committee Meeting

will be held on

Tuesday, 17 December 2024

commencing at 5.00pm

Council Chambers

Ravensthorpe

Matthew Bird
Chief Executive Officer

Disclaimer

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

Please note this agenda contains recommendations which have not yet been adopted by Council.

No responsibility whatsoever is implied or accepted by the Shire of Ravensthorpe for any act, omission, statement or intimation occurring during the Council/Committee meetings or during formal/informal conversations with staff. The Shire of Ravensthorpe disclaims any liability for any loss whatsoever and however caused arising out of reliance by any person or legal entity on any such act, omission, statement or intimation. 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 broader 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 Ravensthorpe during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Ravensthorpe. The Shire of Ravensthorpe warns that anyone who has an application lodged with the Shire of Ravensthorpe must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attached to the decision made by the Shire of Ravensthorpe in respect of the application.

DISCLOSURE OF INTEREST FORM
(Elected Members/Committee Members/Employees/Contractors)

Local Government Act 1995 (Section 5.65, 5.70, 5.71 & 5.71(B))

To: Chief Executive Officer

Name _____

Elected Member Committee Member Employee Contractor

- Ordinary Council Meeting held on _____
- Special Council Meeting held on _____
- Committee Meeting held on _____
- Other _____

Report No _____

Report Title _____

Type of Interest (**see overleaf for further information*)

Proximity Financial Impartiality

Nature of Interest

Extent of Interest (if intending to seek Council approval to be involved with debate and/or vote)

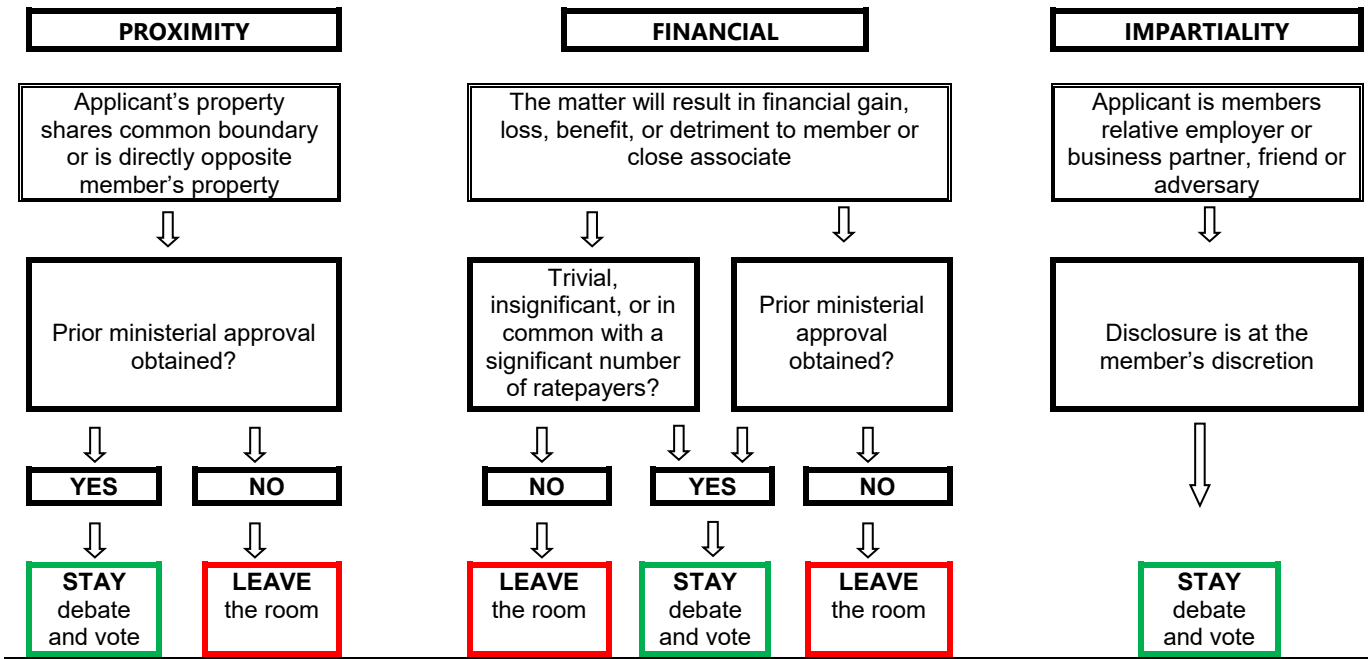
Signed: _____ Date: _____

- **Note 1** - Elected Members/ Committee Members/Employees refer to the Disclosure of Interest Declaration card when disclosure is being read out at Council or Committee Meeting.
- **Note 2**: For Ordinary meetings of the Council, elected members and employees are requested to submit this completed form to the Chief Executive Officer prior to the meeting. Where this is not practicable, disclosure(s) must be given to the Chief Executive Officer prior to the matter being discussed.
- **Note 3**: Employees or Contractors disclosing an interest in any matter apart from at meetings, where there is a conflict of interest including disclosures required by s5.71 are required to submit this form to the CEO as soon as practicable.

CEO: _____ Signed: _____ Date: _____

OFFICE USE ONLY	
<input type="checkbox"/> Particulars recorded in Minutes	<input type="checkbox"/> Particulars recorded in Register

* Declaring an Interest



Local Government Act 1995 – Extract

s.5.60A - Financial Interest

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.

s.5.60B – Proximity Interest

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; or
- (b) a proposed change to the zoning or use of land that adjoins the person's land; or
- (c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.

5.65 - Members' interests in matters to be discussed at meetings to be disclosed.

(1) A member who has an interest in any matter to be discussed at a council or committee meeting that will be 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. (Penalties apply).
- (2) It is a defence to a prosecution under this section if the member proves that he or she did not know:
 - (a) that he or she had an interest in the matter; or (b) that the matter in which he or she had an interest would be discussed at the meeting.
- (3) This section does not apply to a person who is a member of a committee referred to in section 5.9(2)(f).

5.70 - Employees to disclose interests relating to advice or reports.

(1) In this section: 'employee' includes a person who, under a contract for services with the local government, provides advice or a report on a matter.

- (2) An employee who has an interest in any matter in respect of which the employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when giving the advice or report.
- (3) An employee who discloses an interest under this section must if required to do so by the council or committee, as the case may be, disclose the extent of the interest. (Penalties apply).

5.71 - Employees to disclose interests relating to delegated functions.

If, under Division 4, an employee has been delegated a power or duty relating to a matter and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and:

- (a) in the case of the CEO, must disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter; and (b) in the case of any other employee, must disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter. (Penalties apply)

5.71A. - CEOs to disclose interests relating to gifts in connection with advice or reports

- (1) A CEO who has an interest relating to a gift in a matter in respect of which the CEO proposes to provide advice or a report, directly or indirectly, to the council or a committee must disclose the nature of the interest in a written notice given to the council.
- (2) A CEO who makes a disclosure under subsection (1) must not provide the advice or report unless the CEO is allowed to do so under section 5.71B(2) or (6).
- (3) A CEO who has an interest relating to a gift in a matter in respect of which another employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when the advice or report is provided.

Local Government (Administration) Regulations 1996 – Extract - In this clause and in accordance with Regulation 19AA "Interest" means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an association.

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MINUTES

Mission Statement *To grow our community through the provision of leadership, services and infrastructure.*

1. DECLARATION OF OPENING

The Presiding Member to declared the meeting open at 5pm.

The Presiding Member acknowledges the Traditional Owners of the land on which we meet, and pays respect to Elders past, present, and emerging.

2. RECORD OF ATTENDANCE, APOLOGIES AND APPROVED LEAVE OF ABSENCE

Elected Members:

Cr Thomas Major (Shire President) (Presiding Member)

Cr Mark Mudie (Deputy Shire President)

Cr Rachel Gibson

Cr Sue Leighton

Cr Robert Miloseski (Electronic Attendance)

Cr Roger Mansell

Cr Graham Richardson

Staff:

Matthew Bird (Chief Executive Officer)

Les Mainwaring (Executive Manager Corporate Services)

Paul Spencer (Executive Manager Infrastructure Services)

Natalie Bell (Executive Manager Projects and Regulatory Services)

Rod McGrath (Manager Community, Sport and Recreation)

VISITORS

Nil

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

3. DECLARATIONS OF INTEREST

Nil

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5. MINUTES FROM PREVIOUS MEETINGS

AUDIT COMMITTEE MEETING HELD 19 MARCH 2024

Statutory Environment:

Section 5.22 of the *Local Government Act 1995* provides that minutes of all meeting to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Voting Requirements:

Simple Majority

COMMITTEE DECISION:

Moved By Cr Mudie and seconded by Cr Leighton Resolution # AC03/24

That the Minutes and associated attachments of the Audit Committee of the Shire of Ravensthorpe held on 19 March 2024 (Attachment 5) be confirmed as a true and correct record.

Carried 7/0

6. 2023-2024 ANNUAL FINANCIAL REPORT AND 30 JUNE 2024 AUDIT REPORT

File Reference:

Location: N/A

Applicant: Audit Committee

Author: Executive Manager Corporate Services

Authorising Officer: Chief Executive Officer

Date: 10 December 2024

Disclosure of Interest: Nil

Attachments:
1. Annual Financial Statements 30 June 2024
2. OAG Audit Opinion 30 June 2024
3. Draft 2023/24 Annual Report

Previous Reference: N/A

PURPOSE

1. In accordance with section 7.12A(3) of the Local Government Act 1995, Council is required to examine the Auditors report for the year ending 30 June 2024 and is to determine if any matters raised by the Auditors require action to be taken.
2. A copy of the Auditors Report and the Annual Financial Report for the year ending 30 June 2024 is presented for adoption.
3. Council is required to set a date for the Annual General Meeting of Electors within 56 days of adopting the annual financial report.

BACKGROUND

4. This is the seventh year where the audit process has involved the Office of the Auditor General (OAG), in conjunction with contract auditors Moore Australia, and given that last year we achieved a December audit sign off for the first time in 4 years, we are again looking forward to a December sign off to allow the timely arrangement of the annual electors meeting.
5. We are pleased to announce that we have received a current sign off of 05 December 2024 for the 2023/24 Annual Financial Report.
6. It is also worthwhile noting that the OAG has estimated our contract audit time for the 2023/24 audit is 260 hours. By comparison pre-OAG the same contract audit firm used to quote a larger Level 2 shire at about 100 hours, so for a smaller Level 3 shire such as Ravensthorpe it can be seen that the current amount of audit time has almost trebled and this is reflected in the resource requirements of the Corporate Services area to support this particular compliance requirement.

COMMENT

7. The OAG, in conjunction with contracted auditors, Moore Australia, have completed the annual audit for the year ending 30 June 2024.
8. The OAG has returned the following audit opinion for the year ended 30 June 2024:
9. In my opinion the financial report of the Shire of Ravensthorpe: • is based on proper accounts and records • presents fairly, in all material respects, the results of the operations of the Shire for the year ended 30 June 2024 and its financial position at the end of that

period • in accordance with the Local Government Act 1995 (the Act) and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards.

10. The audit opinion is unqualified and the OAG has not raised any management letter matters where there is potentially a risk to the entity, or a concern that warrants action being taken, should the finding not be addressed by the entity promptly.
11. Having no management matters raised is an unusual situation, compared to recent years, and is reflective of the Corporate Service team's endeavours to improve the financial system of the shire and endeavour to comply with all required compliance obligations.
12. In accordance with the Local Government Act, the general meeting of electors is to be held on a day no later than 56 days after Council has adopted the Annual Financial Report, therefore Council would be required to hold the annual meeting of electors no later than Tuesday 11 February 2025 if the report was adopted at the 17 December 2024 Ordinary Council Meeting.
13. The Audit Committee, which is comprised of full Council, is to meet with the auditor during each financial year with such meetings able to be held via teleconference. The Chief Executive Officer arranged an audit exit interview for the audit committee with OAG and Moore Australia on the 5 December 2024 via teleconference to discuss the 2023/24 audit findings.

CONSULTATION

14. All Councillors and Executive Team

STATUTORY ENVIRONMENT

15. *Local Government Act 1995 – Part 6 Financial Management; and Local Government (Financial Management) Regulations 1996* - Defines the processes and procedures that apply to the recording and reporting of financial matters.
16. *Local Government Act 1995 – Part 7 Audit; and Local Government (Audit) Regulations 1996* - Defines the audit of the financial accounts of local governments, including the conduct of audits.
17. *Local Government Act 1995 - 7.12A. Duties of local government with respect to audits* - 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 determine if any matters raised by the report, or reports, require action to be taken by the local government; and ensure that appropriate action is taken in respect of those matters.

POLICY IMPLICATIONS

18. Nil

FINANCIAL IMPLICATIONS

19. Nil.

RISK MANAGEMENT

20. The following risks have been identified as part of this report;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Override of Internal Controls	Possible	Moderate	Medium	Constantly monitor, review and reflect on adequacy and effectiveness of controls
Financial	Possible	Minor	Medium	Robust controls prevent the level and likelihood of loss

ALTERNATE OPTIONS

21. Nil.

STRATEGIC ALIGNMENT

22. This item is relevant to the Councils approved Strategic Community Plan 2020-2030 and Corporate Business Plan 2020-2024.

Outcome 5: Governance and Leadership - The Shire of Ravensthorpe partners the community, and is an effective advocate and responsible steward.

Item	Objectives and Strategies
5.5	The value of community owned assets is maintained
5.6	Financial systems are effectively managed

VOTING REQUIREMENTS

23. Simple Majority

COMMITTEE DECISION

Moved by Cr Gibson and seconded by Cr Richardson Resolution # AC04/24

That the Audit Committee RECOMMEND to Council:

- 1. The 2023/24 Annual Report including Financial Statements and auditors report for the year ended 30 June 2024 be accepted, and;**
- 2. Council SET THE 2023/24 Annual General Meeting of Electors within 56 days of the acceptance of the 2023/24 annual financial report to be Tuesday 4 February 2025.**
- 3. The annual report be provided to the Community, 2 weeks prior to the Annual General Meeting of Electors.**

Carried: 7/0

9. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS

Nil.

10. CLOSURE

The Presiding Member declared the meeting closed at 5.17pm.