



UNCONFIRMED MINUTES
OF THE AUDIT COMMITTEE

HELD ON

FRIDAY 24 MARCH 2017

AT 10:00 AM



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Minutes of the Audit Committee Meeting
 held in the Council Chambers, 37 Gibbons Street, Yalgoo,
 on Friday 24 March 2017, commencing at 10:00 am.

Members of the Audit Committee

Council has historically nominated all Councillors to be members of the Audit committee. Nominations to the Audit Committee must be by absolute majority.

The Shire of Yalgoo Audit Committee was established by an absolute majority of Council, resolution S2014-0110, following the 2013 general election in accordance with s7.1A of the Act.

At the Ordinary Meeting of Council 22 October 2015, resolution C2015-1007 declared all positions on the Audit Committee vacant.

Council subsequently appointed, by absolute majority, all Councillors as members of the audit committee:

- *Cr Neil Grinham (President)*
- *Cr Robert (Bob) Grinham*
- *Cr MR (Raul) Valenzuela (Deputy President)*
- *Cr J Kanny*
- *Cr G Trenfield*
- *1 Position vacant*

The term of office is until the next ordinary elections in October 2017.

On 18 March 2016, the members of the Audit Committee elected Cr Neil Grinham as the Presiding Member and Cr Raul Valenzuela as the Deputy Presiding Member.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chairman Neil Grinham declared the Audit Committee Meeting open at 10:15am.

2. RECORD OF ATTENDANCE/APOLOGIES

MEMBERS	Cr Neil A Grinham Cr M Raul Valenzuela Cr B Grinham Cr Joanne Kanny Cr G Trenfield
STAFF	Silvio Brenzi CEO
GUESTS	Nil

OBSERVERS Nil

APOLOGIES Nil

3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting
Nil

4. CONFIRMATION OF MINUTES OF THE AUDIT COMMITTEE

Background

Minutes of the Audit Committee meeting held on Friday 16 December 2016 were previously distributed to members.

Voting Requirements

Simple majority

AUDIT COMMITTEE RECOMMENDATION

A2017-0301 Minutes of the Audit Committee Meeting

That the minutes of the Audit Committee meeting held on 16 December 2016, as circulated, be confirmed as a true and correct record of proceedings.

Moved: Cr R Valenzuela

Seconded: Cr G Trenfield

Motion put and carried 5/0

5. BUSINESS AS NOTIFIED

5.1 Report on Appointment of Auditors

Author:	Dominic Carbone	
Interest Declared:	No interest to disclose	
Date:	16 March 2017	
Attachments	P1	Quotation for Audit Services RSM Australia Pty Ltd ATD BIRDANCO Practice Trust Trading as RSM;
	P30	Circular N ^o 31 – 2016 Department of Local Government and Communities;
	P31	General Conditions of Contract.

Matter for Consideration

That the Audit Committee make a recommendation to Council for the appointment of an Auditor for a term of one (1) financial year in accordance with Sections 7.3 (1) and 7.6 of the Local Government Act 1995.

Background

Council at its Ordinary Meeting held on 16 December 2016 adopted the following resolution:

“That Council:

- (1) Approves of the Request for Quotation attached to Report No 5.1, which addresses the requirements of Part 7 of the Local Government Act 1995, and the applicable regulations as set out in the Local Government (Audit Regulations) 1996.
- (2) That the Chief Executive Officer request at least three (quotations) from suitable suppliers of audit services for the 2016-17 financial year”.

Statutory Environment

Local Government Act 1995

Division 2 — Appointment of auditors

7.2. Audit:

The accounts and annual financial report of a local government for each financial year are required to be audited by an auditor appointed by the local government.

7.3. Appointment of auditors:

(1) A local government is to, from time to time whenever such an appointment is necessary or expedient, appoint* a person, on the recommendation of the audit committee, to be its auditor.

* *Absolute majority required.*

(2) The local government may appoint one or more persons as its auditor.

(3) The local government’s auditor is to be a person who is —

(a) A registered company auditor; or

(b) An approved auditor.

[Section 7.3 amended by No. 49 of 2004 s. 6.]

7.8. Terms of appointment of auditors:

(1) Subject to this Part and to any regulations, the appointment of a person as auditor of a local government is to be made by agreement in writing on such terms and conditions, including the remuneration and expenses of the person to be appointed, as are agreed between that person and the local government.

(2) The remuneration and expenses payable to the auditor of a local government (whether appointed by the local government or by the Departmental CEO under section 7.7) are payable by the local government.

[Section 7.8 amended by No. 28 of 2006 s. 364.]

Division 3 — Conduct of audit

7.9. Audit to be conducted

(1) An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —

- (a) The mayor or president; and
- (b) The CEO of the local government; and
- (c) The Minister.

(2) Without limiting the generality of subsection (1), where the auditor considers that —

- (a) there is any error or deficiency in an account or financial report submitted for audit; or
- (b) any money paid from, or due to, any fund or account of a local government has been or may have been misapplied to purposes not authorised by law; or
- (c) there is a matter arising from the examination of the accounts and annual financial report that needs to be addressed by the local government, details of that error, deficiency, misapplication, or matter, are to be included in the report by the auditor.

(3) The Minister may direct the auditor of a local government to examine a particular aspect of the accounts and the annual financial report submitted for audit by that local government and to —

- (a) prepare a report thereon; and
- (b) forward a copy of that report to the Minister, and that direction has effect according to its terms.

(4) If the Minister considers it appropriate to do so, the Minister is to forward a copy of the report referred to in subsection (3), or part of that report, to the CEO of the local government to be dealt with under section 7.12A.

[Section 7.9 amended by No. 49 of 2004 s. 7.]

Local Government (Audit) Regulations 1996

7. Agreements with auditors, contents of:

An agreement between a local government and an auditor is to include —

- (a) the objectives of the audit; and
- (b) the scope of the audit; and
- (c) a plan for the audit; and
- (d) details of the remuneration and expenses to be paid to the auditor; and
- (e) the method to be used by the local government to communicate with, and supply information to,

9. Performance of audit:

(1) An audit is to be carried out in accordance with the “Auditing Standards” and “Auditing Guidance Statements” adopted from time to time by the Australian Society of Certified Practising Accountants and The Institute of Chartered Accountants in Australia.

(2) An auditor is to carry out such work as is necessary to form an opinion as to whether —

- (a) the accounts are properly kept; and
- (b) the annual financial report —
 - (i) is prepared in accordance with the financial records; and
 - (ii) represents fairly the results of the operations of the local government and the financial position of the local government at 30 June in accordance with the Australian Accounting Standards and the Act.

10. Report by auditor:

(1) An auditor’s report is to be forwarded to the persons specified in section 7.9(1) within 30 days of completing the audit.

(2) The report is to give the auditor’s opinion on —

- (a) the financial position of the local government; and
- (b) the results of the operations of the local government.

(3) The report is to include —

- (a) any material matters that in the opinion of the auditor indicate significant adverse trends in the financial position or the financial management practices of the local government; and
- (b) any matters indicating non-compliance with Part 6 of the Act, the Local Government (Financial Management) Regulations 1996 or applicable financial controls in any other written law; and
- (c) details of whether information and explanations were obtained by the auditor; and
- (d) a report on the conduct of the audit; and
- (e) the opinion of the auditor as to whether or not the following financial ratios included in the annual financial report are supported by verifiable information and reasonable assumptions —
 - (i) the asset consumption ratio; and
 - (ii) the asset renewal funding ratio. (4A) In subregulation (3)(e) — asset consumption ratio has the meaning given in the Local Government (Financial Management) Regulations 1996 regulation 50(2); asset renewal funding ratio has the meaning given in the Local Government (Financial Management) Regulations 1996 regulation 50(2).

(4) Where it is considered by the auditor to be appropriate to do so, the auditor is to prepare a management report to accompany the auditor's report and to forward a copy of the management report to the persons specified in section 7.9(1) with the auditor's report.

[Regulation 10 amended in Gazette 21 Jun 2013 p. 2449-50.]

Consultation

Nil

Comment

In accordance with part (2) of Council's resolution detailed in the background to this report, the following Audit firms were invited to submit a quotation:

- Hall Chadwick,
- Moore Stephens,
- RSM.

The responses submitted by the above-mentioned firms are as follows:

- Hall Chadwick, no response received;
- Moore Stephens, email received stating that the firm was not submitting a response to the Shire's Request for Quotation, (RFQ) as it currently stands for two main reasons:
 - a) It is only for one year (even though the Department (of Local Government and Communities) has recently sent a letter advising, due to the delay in the new Audit Bill to extend to 30 June 2018 – are you aware of this?); and
 - b) You have a 50% price weighting which, given we approach our Local Government audits from the viewpoint of quality first with value for the outcome provided, will exclude us before we even submit (this assessment is based on our past experiences in quoting in the industry.
- RSM, a detailed Request for Quotation (RFQ) submitted as requested by the Shire.

The submission received from RSM complies with Regulation 7 of the Local Government (Audit) Regulations 1996 on the basis that it addresses the following:

- a) The objectives of the Audit;
- b) Scope of the Audit;
- c) A plan for the Audit;
- d) Details of the remuneration and expenses to be paid to the auditor; and
- e) The method to be used by the Local Government to communicate with and to supply information.

The fee for the Audit Services to be provided by RSM amounts to \$17,264 (excluding GST) plus travel and accommodation to be reimbursed at cost, travel will be based on motor vehicle travel to Yalgoo from Geraldton. Progress payments to apply.

RSM registered Company Auditor is Mr David Wall.

On 12 December 2016, the Department of Local Government and Communities issued a Circular to all Local Governments advising as follows:

1. That it's proposed that the Auditor General and the Office of the Auditor General take the responsibility for Local Government financial audits from 1 July 2017. Local Governments were requested not to extend or renew audit controls past the 2016 – 2017 Audit in anticipation of the Local Government Amendment (Auditing) Bill 2016 taking effect.
2. The proposed Local Government Amendment (Auditing) Bill 2016 will not pass before the dissolution of Parliament on the basis that the State Election was scheduled for March 2017.
3. Subject to (2) above Local Governments were advised to extend or renew audit contracts until the 2017 – 2018 Audit with the option of extensions.

As the Shire's Request for Quotation was based on providing Audit Services for 2016 – 2017, it is recommended that a contract be entered into for one year with an option for two annual extensions if required.

Voting Requirements

Simple Majority

AUDIT COMMITTEE RECOMMENDATION

A2017-0302 Report on Appointment of Auditors for the 2016 - 17 Financial Year

That the Audit Committee recommends that Council:

- (1) Appoint Mr David Wall, Registered Company Auditor 16200 from RSM Australia Pty Ltd ATD BIRDANCO Practice Trust Trading as RSM as the Shire's Auditor for a term of one year (2016 – 2017) with an option of at least two annual extensions at Councils discretion in accordance with Section 7.3 of the Local Government Act 1995.**
- (2) Subject to (1) above the Shire enters into a contract as per the attachment to this report with RSM.**

Moved: Cr J Kanny

Seconded: Cr R Grinham

Motion put and carried by absolute majority 5/0

5.2 Report on Compliance Audit Return 2016

Author:	Steven Cosgrove
Interest Declared:	No interest to disclose
Date:	8 March 2017
Attachments :	P36 2016 Draft Compliance Audit Return

Matter for Consideration

That Council give consideration to the draft Compliance Audit Return 2016 and certified by the President and Chief Executive Officer and a copy to be forwarded to the Department of Local Government by 31st March 2017.

Background

Regulation 14 and 15 of the Local Government (Audit) Regulations 1996 requires that the Council carry out a Compliance Audit for the period 1st January to the 31st December in each year and be submitted to the Executive Director by the 31st March of the following year.

Statutory Environment

Local Government Act 1995

7.13. Regulations as to audits

- (i) requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are —
 - (i) of a financial nature or not; or
 - (ii) under this Act or another written law.

Local Government (Audit) Regulations 1996

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.
- (3)
- (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.
- (4) (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —
 - (5) (a) presented to the council at a meeting of the council; and
 - (6) (b) adopted by the council; and
 - (7) (c) recorded in the minutes of the meeting at which it is
 - (8) adopted.

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.

Business Implications

Nil

Consultation

Nil

Comment

The Shire of Yalgoo is required to carry out an Annual Compliance Audit for the period 1st January 2016 to 31st of December 2016. The Draft Compliance Return for 2016 has been completed online at the Department of Local Government and Communities website and is attached for consideration. Areas of non-compliance have been identified and are detailed in the return with comments in relation too. The Compliance Return is to be adopted by Council and certified by the President and the Chief Executive Officer along with a copy of the relevant section of the Minutes be forwarded to the Director General by the 31st March 2017.

Voting Requirements

Simple Majority

AUDIT COMMITTEE RECOMMENDATION

A2017-0303 Report on Compliance Audit Return 2016

That the Audit Committee recommend to Council that the draft 2016 Compliance Audit Return be adopted and certified by the President and Chief Executive Officer and forwarded to the Department of Local Government along with the relevant section of the Minutes.

Moved: Cr R Valenzuela

Seconded: Cr J Kanny

Motion put and carried 5/0

5.3 Report on 2016-17 Annual Budget Review

Author:	Dominic Carbone	
Interest Declared:	No interest to disclose	
Date:	15 March 2017	
Attachments	P45	Statement of Financial Activities , Statement of Surplus/ Deficit, Statement of Closing Funds, Budget Analysis Worksheets

Matter for Consideration

That council review the 2016-17 Annual Budget Review

Background

Regulation 33A of the Local Government Act (Financial Management) Regulations 1996 requires that a Local Government between 1st February and 31st March in each year carry out a review of its Annual Budget for that year. A copy of the review and the determination is to be provided to the Department of Local Government within 30 days of the adoption of the review.

Council adopted a 10% or \$10,000.00 variance or whatever is the greater for the reporting of material variances identified in the annual budget review.

Statutory Environment

33A. Review of budget

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
 - (a) consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
 - (b) consider the local government’s financial position as at the date of the review; and
 - (c) review the outcomes for the end of that financial year that are forecast in the budget.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

*Absolute majority required.

- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
 - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.

2)	An increase in operating expenditure amounting to \$673,489 comprising of:	
	EXPENDITURE	
	Increase in debt collection costs	(\$14,000)
	Decrease in members communication allowance	\$10,000
	Increase in demolition expenses 17 Shamrock Street	(\$10,000)
	Decrease in community park Gibbon St maintenance	\$9,051
	Decrease in old railway station grounds maintenance	\$11,695
	Increase in Yalgoo hub - covered sports maintenance	(\$15,197)
	Decrease in lighting of streets	\$10,000
	Decrease in weed control	\$10,000
	Decrease in rural road maintenance	\$159,943
	Increase in road agreement MMG	(\$36,130)
	Decrease in POC under utilisation	\$22,822
	Increase in flood damage grant spent in 2016-17	(\$771,143)
	Increase in Yalgoo airstrip maintenance	(\$16,481)
	Increase in caravan park salaries and wages	(\$13,520)
	Increase in Tourism Promotion	(\$20,000)
	Increase in emu cup event	(\$17,563)
	Increase in Yalgoo race track expenses	(\$16,307)
	Decrease other minor variances	\$23,341
		<u>(\$673,489)</u>
3)	Gain or loss on sale of assets:	
	Increase in book value of assets sold written back	(\$152,375)
	Increase in proceeds from sale of assets	\$114,693
	Increase in net loss on sale of assets	<u>(\$37,682)</u>
4)	Furniture and Equipment	
	Additional expenditure- telephone system insurance claim	(\$12,055)
	Additional expenditure- mobile phones and laptop admin and HCP	(\$6,127)
	Additional expenditure- Chamber improvements	(\$302)
	Additional expenditure- art centre lotterywest contribution	(\$15,430)
	Additional expenditure- community hall lotterywest contribution	(\$4,282)
	Additional expenditure- day care centre lotterywest contribution	(\$15,596)
	Additional expenditure- replace washing machine and dryer	(\$2,450)
		<u>(\$56,242)</u>

6. MEETING CLOSURE

There being no further business, the Audit Committee Chairman Cr Neil A Grinham, declared the Audit meeting closed at 11:42 am.

DECLARATION

These minutes were confirmed at the Audit Committee Meeting to be held.....

Signed: _____
Person presiding at the meeting at which these minutes were confirmed