



A Fortunate Place

## Agenda

Governance, Audit & Community Services  
Committee

# 17 FEBRUARY 2021



## Terms of Reference

### 1. Name

Governance, Audit and Community Services Committee

### 2. Members

Cr Steven Martin

Cr Julie Russell

Cr Allan Lansdell

Cr Fran Allan

Cr Wes Astbury

Cr Sarah Hyde

Cr John Mearns

Cr Nathan Astbury

### 3. Objectives

The following objectives are to be considered by the Governance, Audit and Community Services Committee;

- This Committee deals with issues relating to Governance, Audit and Community Services in the Shire of Wickepin and makes recommendations to the Ordinary Council meeting.
- The Governance, Audit and Community Services Committee has no delegated authority, therefore the Committee cannot on-delegate the powers and duties delegated to it;
- The Committee is to provide an independent oversight of the financial systems of the Shire of Wickepin on behalf of the Council. As such, the Committee will operate to assist Council to fulfil its corporate governance, stewardship, leadership and control responsibilities in relation to the Shire of Wickepin's financial reporting and audit responsibilities.
- Support Council in its endeavours to provide effective corporate governance and fulfil its responsibilities in relation to directing and controlling the affairs of the Shire of Wickepin.

### 4. Function of the Committee

To provide guidance and assistance to the Shire of Wickepin;

1. as to the carrying out of its functions in relation to audits;
2. as to the development of a process to be used to select and appoint a person to be the auditor;
3. matters to be audited;
4. the scope of the audit;
5. its functions under Part 6 of the Act that relate to financial management; and
6. the carrying out of its functions relating to other audits and others matters related to financial management.

### 5. Scope/Jurisdiction

The Committee is appointed and empowered in accordance with the provisions of the Local Government Act 1995.

A decision of the Committee is to be made by simple majority.

Resolutions/recommendations of the committee must first be considered and endorsed by Council prior to any action by a Committee Member or Chief Executive Officer.

The Shire of Wickepin shall provide secretarial and administrative support to the Governance, Audit and Community Services Committee.

Council's Governance, Audit and Community Services Committee brief includes the following roles and responsibilities;

1. **Dog Act 1976**
2. **Cemeteries Act 1986**
3. **Litter Act 1979**
4. **Parts of the Local Government Act 1995 which control;**
  - a) Trespass of cattle and pounds;
  - b) Aged persons welfare, centres and housing;
  - c) Management, advisory and community committees;
  - d) The protection and security of Council properties and facilities;
  - e) Aquatic centres;
  - f) Parking facilities;
  - g) Social welfare.
5. **The Health Act 1911, as amended which includes;**
  - a) Disposal of refuse, sewerage and liquid waste;
  - b) Offensive trades;
  - c) Distribution and sale of foods and drugs to the public;
  - d) Insects and pests;
  - e) Itinerant vendors of food;
  - f) Immunization;
  - g) Health education;
  - h) Child health centres;
  - i) Infectious diseases;
  - j) Drainage pertinent to health;
  - k) Stables;
  - l) Noxious industries;
  - m) Stalls and stall holders;
  - n) Hawking;
  - o) Child minding.
6. **Environmental Protection Act (1986)**
7. **The Liquor Act 1970**
8. **Amendments, regulations, locals laws and enforcement of the above Acts**
9. **Prosecution for offences under the control of this Committee**
10. **Usage, sharing and hiring of Council controlled reserves and buildings**
11. **Ranger Services**
12. **Library Services**
13. **Civic Functions**
14. **Lease of land and buildings**
15. **Services for the aged and youth**
16. **Town Planning**
17. **Regulate use of land**
18. **Town Planning Scheme;**
  - a) Preparation;
  - b) Amendments;
  - c) Submissions to Council.
19. **Use of Land - Classification**
20. **Subdivisions**
21. **Amalgamations**
22. **Residential density codes**
23. **Applications to commerce development**
24. **Change of use**
25. **Re-zonings**
26. **Buildings;**

- a) Plot ratios;
- b) Setback;
- c) General character;
- d) Dimensions.
- 27. Location of;**
  - a) Parks and reserves;
  - b) Recreation grounds;
  - c) Public open space;
  - d) Community facilities;
  - e) Cultural facilities;
  - f) Parking areas and functions;
  - g) Civic developments;
  - h) Urban design.
- 28. Buildings - Statutory Control**
- 29. Building Code of Australia**
- 30. Private Swimming Pool Local Laws**
- 31. Buildings - part (xv) of the Local Government Act**
- 32. Signs and hoardings**
- 33. Fencing**
- 34. Buildings - Operations**
- 35. Lightings**
- 36. Maintenance of Council buildings**
- 37. Cleaning of Council buildings**
- 38. Construction of Council buildings**
- 39. Local Laws for building**
- 40. Any items referred by other Committees or Council**
- 41. The calling and consideration of tenders for Council buildings**
- 42. Review quarterly reports**
- 43. Budget process and overview**
- 44. The process of calling tenders and selecting the auditor**
- 45. Recommending the auditor to Council**
- 46. Managing the audit process from the Council perspective**
- 47. Meeting with the auditor at least once each year to discuss the process and/or outcomes of the audit**
- 48. Monitoring the administration's actions on, and responses to, any significant matters raised by the auditor in the report referred to in S7.9 of the Local Government Act 1995 and the Management Report**
- 49. Submitting a copy of the audit contract to the Department each time a new one is entered into or the contract is amended**
- 50. Submitting an annual report on the audit function to the Council and the Department**
- 51. Considering the completed Statutory Compliance Return and monitoring the administration's corrective action on matters of non-compliance**
- 52. Preparation and amendment of Principle Activities Plan**
- 53. The calling of tenders and consideration of tenders for administrative matters**
- 54. Elections**
- 55. Elector meeting.**

## **6. Appointment of Committee Members**

The following guidelines are to be established when appointing members of the Governance, Audit and Community Services Committee;

- The Governance, Audit and Community Services Committee is to consist of three or more persons to exercise powers and discharge the duties conferred on it;
- Council calls for written nominations for members of the Governance, Audit and Community Services Committee at the end of each year. Committee members are appointed by Council at the December Ordinary Council meeting by an absolute majority decision;
- At least three of the members, and the majority of the members, are to be elected members;

- If the Shire of Wickepin wishes to appoint one or more persons other than elected members to the Committee, it should ensure that they have the requisite knowledge and skills to provide benefit to the Committee.
- The CEO is not to be a member of the Committee and may not nominate a person to be a member or have a person to represent him/her as a member of the Committee;
- An employee is not to be a member of the Committee;

**7. Appointment of Committee Chair**

A chairperson is appointed at the first Governance, Audit and Community Services Committee Meeting at the beginning of each year by the committee members.

**8. Meeting Frequency**

The Governance, Audit and Community Services Committee meet on the meeting dates for 2021 are as follows:

| Committee  | Day       | Date              | Time   |
|------------|-----------|-------------------|--------|
| Governance | Wednesday | February 17, 2021 | 1.30pm |
| Governance | Wednesday | June 16, 2021     | 1.30pm |
| Governance | Wednesday | November 17, 2021 | 1.30pm |
| Governance | Wednesday | December 15, 2021 | 1.30pm |

**9. Related Policies/Bylaws:**

Nil.

**SHIRE OF WICKEPIN  
QUESTIONS FROM THE PUBLIC**

Any member of the public wishing to participate in Public Question Time during Council or Committee meetings is welcome to do so; however, Council requires your name, address and written questions to be provided to the meeting secretary.

**NAME:**

**SIGNATURE:**

**ADDRESS:**

**TELEPHONE:**

**MEETING/DATE:**

**NAME OF ORGANISATION REPRESENTING (if applicable):**

**QUESTION:**

## **SHIRE OF WICKEPIN QUESTIONS FROM THE PUBLIC**

The Shire of Wickepin welcomes community participation during public question time. The following is a summary of procedure and a guide to completion of the required form.

- a. The person asking the question is to give their name and address prior to asking the question.
- b. Questions are to be directed through the chair, with the Presiding Member having the discretion of accepting or rejecting a question and the right to nominate a Councillor or Officer to answer.
- c. In order to provide an opportunity for the greatest portion of the gallery to take advantage of question time, questions are to be as succinct as possible. Any preamble to questions should therefore be minimal and no debating of the issue between the Gallery, Councillors or Officers is permissible.
- d. Where the Presiding Member rules that a member of the public is making a statement during public question time, then no answer is required to be given or recorded in response.
- e. Questions which are considered inappropriate; offensive or otherwise not in good faith; duplicates or variations of earlier questions; relating to the personal affairs or actions of Council members or employees; will be refused by the Presiding Member as 'out of order' and will not be recorded in the minutes.
- f. Where a member of the public submitting a question is not physically present at the meeting, those questions will be treated as an item of correspondence and will be answered in the normal course of business (and not be recorded in the minutes).
- g. Questions from members of the public that do not comply with the Rules of Question Time or do not abide by a ruling from the Presiding Member, or where the member of the public behaves in a manner in which they are disrespectful of the Presiding Member or Council, or refuse to abide by any reasonable direction from the Presiding Member, will be ruled 'out of order' and the question will not be recorded in the minutes.
- h. Answers to questions provided in good faith, however, unless reasonable prior written notice of the question is given, answers should not be relied upon as being totally comprehensive.
- i. Where a question (compliant to these rules) is raised and is unable to be answered at the meeting, the question shall be 'taken on notice' with an answer being given at the next appropriate Council Meeting.
- j. Public Question Time is set for a maximum period of 15 minutes, and will terminate earlier should no questions be forthcoming.
- k. To enable all members of the public a fair and equitable opportunity to participate in Public Question Time, each person shall be provided a maximum two minutes time limit in the first instance, in which to ask a maximum of two questions (whether these are submitted 'in writing' or 'from the floor'). A question may include a request for the tabling of documents where these are relevant to an issue before Council.
- l. Questions to be asked at the meeting will be registered, and the priority for asking questions shall be firstly 'questions on which written notice has been given prior to the meeting' (that is, prior to 12 noon on the day immediately preceding the meeting) and secondly, 'questions from the floor'.
- m. Should there be time remaining on the initial period for Public Question Time (i.e. 15 minutes) after all members of the public have posed their initial allotment of two questions, the Presiding Member will then allow members of the public to sequentially (in accordance with the register) ask a further two questions (with a two minute time limit) until the initial period for Public Question Time has expired.
- n. Any extension to the initial period for Public Question Time is to be limited to a period that will allow sufficient time for any remaining members of the public to ask their initial allotment of two questions.



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**Agenda of a Governance, Audit and Community Services Committee Meeting held in Council  
Chambers, Wickpin, Wednesday 17 February 2021**

The Chairperson declared the meeting open at        pm.

**1. Attendance, Apologies and Leave of Absence (Previously Approved)**

|               |                                |
|---------------|--------------------------------|
| Cr W Astbury  | Member                         |
| Cr A Lansdell | Member                         |
| Cr F Allan    | Member                         |
| Cr N Astbury  | Member                         |
| Cr S Martin   | Member                         |
| Cr S Hyde     | Member                         |
| Cr J Russell  | Member                         |
| Cr J Mearns   | Member                         |
| Mark Hook     | Chief Executive Officer        |
| Erika Clement | Deputy Chief Executive Officer |
| Lara Marchei  | Executive Support Officer      |

**Apologies**

**Leave of Absence (Previously Approved)**

**2. Public Question Time**

**3. Applications for Leave of Absence/Apologies**

**4. Petitions, Memorials and Deputations**

**5. Declarations of Councillor's and Officers Interest**

**6. Confirmation of Minutes – Governance, Audit and Community Services – 16 December 2020.**

**Moved / Seconded**

That the minutes of the Governance, Audit and Community Services Committee held on 16 December 2020 be confirmed as a true and correct record.

**Carried**

**7. Status Report**

| Subject/Action | Date | Officer | Progress | Status | Comment |
|----------------|------|---------|----------|--------|---------|
|                |      |         |          |        |         |

If not noted, please insert numbers of items once attended to and return sheet to CEO.

○ = in progress    ✓ = completed    ✕ = superseded

**8. Notice of Motions of Which Notice Has Been Given**

**9. Receipt of Reports & Consideration of Recommendations**

## 9.1 – Significant Adverse Trend 2020 Audit Report

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|                                    |   |
|------------------------------------|---|
| <b>Submission To:</b>              | <b>Governance, Audit &amp; Community Services Committee</b> |
| <b>Location/Address:</b>           | <b>Whole Shire</b>  |
| <b>Name of Applicant:</b>          | <b>Erika Clement, Deputy Chief Executive Officer</b>        |
| <b>File Reference:</b>             | <b>FM.AUD.1225</b>  |
| <b>Author:</b>                     | <b>Erika Clement, Deputy Chief Executive Officer</b>        |
| <b>Disclosure of any Interest:</b> | <b>Nil</b>  |
| <b>Date of Report:</b>             | <b>14 February 2021</b>                                     |

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### Enclosure/Attachments:

1. Audit Findings for the Financial Year Ended 30th June 2020, Report on Significant Matters.

### Summary:

The Governance, Audit and Community Services Committee is being requested to receive the report on the adverse trend of the following ratios raised in the 2019/2020 Annual Report.

1. Asset Sustainability Ratio
2. Operating Surplus Ratio
3. Own Source Revenue Ratio

### Background:

Under the Local Government Act 1995 the Shire of Wickpin is required to prepare an audited Annual Financial Report each financial year.

The Shire's 2019/20 audit report was received from the Auditor General on 16 December 2020.

A key audit requirement requires the auditor to identify any financial trends which it considers adverse and of concern. For the 30 June 2020 year, the Auditor General has identified a significant adverse trend in relation to the financial position of the Shire. The Shire of Wickpin has not met the minimum standard as set by the Department of Local Government, Sport and Cultural Industries (the Department) for the Operating Surplus Ratio, Asset Sustainability Ratio and Own Source Revenue Ratio for the last three financial years.

Section 7.12A(4) of the Local Government Act 1995 requires that a local government must:

- "(a) prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and
- (b) give a copy of that report to the Minister within 3 months after the audit report is received by the local government."

Section 7.12A(5) further requires that:

- "Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website."

### Comments:

The Audit Committee is to consider the significant adverse trend in the Ratios identified in the 2019/2020 Audit Report issued by the Office of Auditor General for the 2020 Annual Financial Statements.

The Ratios have been below the Department of Local Government, Sport and Cultural Industries standard for the last three years on both an adjusted and non-adjusted basis.

Local governments must prepare a report addressing the significant matters identified in the report and state what action the local government has taken or intends to take. This report must be provided to the Minister within three months of receiving the audit report. Within 14 days after the local government gives the report to the Minister, the CEO must publish a copy of the report on its official website.

The Annual Financial Statements and Independent Audit Report was discussed at the Audit Committee Meeting held on 16 December 2020.

**Moved Cr Nathan Astbury / Seconded Cr John Mearns**

That the Governance, Audit and Community Services committee adopts the Annual Audit and Management Reports provided by Office of Auditor General for the year ended 30 June 2020.

**Carried 5/0 by Absolute Majority**

**Statutory Environment:**

**Local Government Act 1995**

**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 the auditor's 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 must —
  - (aa) examine an audit report received by the local government; and
  - (a) determine if any matters raised by the audit report, 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 must —
  - (a) prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and
  - (b) give a copy of that report to the Minister within 3 months after the audit report is received by the local government.
- (5) Within 14 days after a local government gives a report to the Minister under subsection the CEO must publish a copy of the report on the local government's official website.

**Policy Implications:**

Nil

**Financial Implications:** Nil

**Strategic Implications:** Nil

**Recommendations:**

That the Governance, Audit and Community Services Committee accept the report and take the necessary actions outlined within the report.

**Voting Requirements:** Simple majority

## 9.2 – Policy Manual Review 2021

|                                    |   |
|------------------------------------|---|
| <b>Submission To:</b>              | <b>Governance, Audit &amp; Community Services Committee</b> |
| <b>Location/Address:</b>           | <b>Whole Shire</b>  |
| <b>Name of Applicant:</b>          | <b>Erika Clement, Deputy Chief Executive Officer</b>        |
| <b>File Reference:</b>             | <b>CM. POL.403</b>  |
| <b>Author:</b>                     | <b>Erika Clement, Deputy Chief Executive Officer</b>        |
| <b>Disclosure of any Interest:</b> | <b>Nil</b>  |
| <b>Date of Report:</b>             | <b>14 February 2021</b>                                     |

### Enclosure / Attachment:

1. Policy Manual February 2021

### Background:

The Shire of Wickepin Policy manual has been recently reviewed by staff and several areas of the manual were discovered to require changes. Changes include correction of typographical errors, updates to name changes and improvements for readability and understanding. Some policies have been removed or added in the Working Draft Shire of Wickepin Policy Manual as they were considered out dated or were covered under various sections of State Legislation or required updating for new regulations.

### Comment:

A full review of the Policy Manual was undertaken.

Changes to the Policy manual since the last adoption of the full policy manual are listed below.

| Date       | Amendment/Review Details                                     | Amend/Reviewed By                 |
|------------|--|-----------------------------------|
| 21/07/2020 | 2.1.17 Tenders of Budgeted items <b>Resolution 150720-09</b> | Reviewed by Council<br>15/07/2020 |

**Statutory Environment:** *Shire of Wickepin Policy Manual*  
*Local Government Act 1995*

**Policy Implications:** As above

**Financial Implications:** Nil

**Strategic Implications:** Nil

### Summary:

The Governance and Audit Committee is being requested to adopt the Shire of Wickepin's Policy Manual February 2021.

### Recommendation:

That the Policy Manual Review February 2021 report be received.

**Voting Requirements:** Absolute majority

### 9.3 – Annual Compliance Audit Return 2020

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|                                    |   |
|------------------------------------|---|
| <b>Submission To:</b>              | <b>Ordinary Council</b>                   |
| <b>Location/Address:</b>           | <b>Whole Shire</b>                        |
| <b>Name of Applicant:</b>          | <b>Mark Hook, Chief Executive Officer</b> |
| <b>File Reference:</b>             | <b>FM.AUD.1200</b>                        |
| <b>Author:</b>                     | <b>Mark Hook, Chief Executive Officer</b> |
| <b>Disclosure of any Interest:</b> | <b>Nil</b>                                |
| <b>Date of Report:</b>             | <b>11 February 2021</b>                   |

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**Enclosure/Attachments:** Annual Compliance Audit Return 2020

#### Summary:

Council is being recommended to adopt the Annual Compliance Audit Return for the year 1 January 2020 to 31 December 2020 and forward the signed completed Compliance Audit Return to the Executive Director of the Department of Local Government by the due date being 31 March 2021.

#### Background:

It is a statutory requirement for local councils to prepare and present the Annual Wickpin – Compliance Audit Return 2020 to the audit committee for review prior to council for adoption. The final report is then required to be submitted to the Executive Director of Local Government Department by 31 March 2021.

#### Comments:

A local government is to carry out a compliance audit report for the period 1 January to 31 December in each year. After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister. 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. There were no questions that have a No recorded against them in the CAR return for 2020.

#### Statutory Environment:

*Section 7.13(1) of Local Government Act.*

*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.*
- (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 sub-regulation (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.*

**Policy Implications:** Nil

**Financial Implications:** Nil

**Strategic Implications:** Nil

**Recommendations:**

That the Governance, Audit and Community Services Committee recommends to council that it adopts the Annual Compliance Audit Return for the year 1 January 2020 to 31 December 2020 and forward the signed completed Compliance Audit Return to the Executive Director of the Department of Local Government by the due date being 31 March 2021.

**Voting Requirements:** Absolute majority



**10. Notice of Motions for the Following Meeting****11. Reports & Information**

11.1 Other matters raised by members

**12. Urgent Business****13. Closure**

There being no further business the Chairperson declared the meeting closed at

The next Governance, Audit and Community Services Meeting will be held on Wednesday 16 June 2021.

**Actions Requested from meeting**

| <b><i>Subject/Action</i></b> | <b><i>Officer</i></b> |
|------------------------------|-----------------------|
|                              |                       |
|                              |                       |
|                              |                       |