

Minutes **Audit Committee**

MEETING HELD ON **TUESDAY, 10 MARCH 2009**

ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil.

DECLARATIONS OF INTEREST

Nil.

IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS

Nil.

PETITIONS AND DEPUTATIONS

Nil.

REPORTS**ITEM 1 2008 COMPLIANCE AUDIT RETURN - [09492]
[50068]**

WARD: All

**RESPONSIBLE
DIRECTOR:** Mr Garry Hunt
 Office of CEO

PURPOSE

To present the completed 2008 Compliance Audit Return to the Audit Committee prior to its submission to the Council for final adoption.

EXECUTIVE SUMMARY

The Department of Local Government and Regional Development (“the Department”) Compliance Audit Return (“Return”) for the period 1 January 2008 to 31 December 2008 has been completed by the City and is required to be submitted to the Department by 31 March 2009.

BACKGROUND

The Department placed the 2008 Return for local governments on its website for completion online.

The structure of the Return is similar to previous years however changes have been made to the structure of some questions to provide more clarity. The Return includes the majority of the statutory requirements to be the subject of a compliance audit as listed in Local Government (Audit) Regulation 13. The Return includes the compliance categories of:

- Caravan Parks and Camping Grounds
- Cemeteries
- Commercial Enterprises
- Delegations of Power/Duty
- Disclosure of Interest
- Disposal of Property
- Executive Functions
- Finance
- Local Government Employees
- Local Laws
- Meeting Process
- Miscellaneous Provisions
- Official Conduct
- Swimming Pools
- Tenders for Goods and Services

The 2008 Return incorporates all the statutory requirements listed in Regulation 13 of the Local Government (Audit) Regulations 1996, except those provisions which have been omitted and are listed under Details in this report.

DETAILS

Certain statutory requirements to be the subject of the compliance audit have been omitted from the 2008 Return by the Department. These requirements have been listed with their responses and included as Attachment 2.

Link to Strategic Plan:

- 1.1 To ensure that the processes of local governance are carried out in a manner that is ethical, transparent and accountable.

Legislation – Statutory Provisions:

Regulations 14 and 15 of the Local Government (Audit) Regulations 1996 state as follows:

14 Compliance audit return to be prepared

- (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) A compliance audit return is to be:
 - (a) presented to the council at a meeting of the council;
 - (b) adopted by the council; and
 - (c) recorded in the minutes of the meeting at which it is adopted.

15 Completion of compliance audit

- (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 Director General, Department of Local Government and Regional Development, by 31 March 2008.

- (2) In this regulation:

“certified” in relation to a compliance audit return means signed by:

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

Risk Management considerations:

The risk associated with the Council failing to adopt the Return would result in non-compliance with the legislative requirements of the Local Government Act 1995.

Policy Implications:

Not Applicable.

Regional Significance:

Not Applicable.

Sustainability Implications:

Not Applicable.

Consultation:

Not Applicable.

COMMENT

The responses to the questions were collected from the appropriate employees of the City and entered on the Return on the Department's website. The 2008 Audit Return reveals an extremely high level of compliance against legislation for the City of Joondalup. There were a few areas of non-compliance and relevant comments have been made within the Audit Return document.

ATTACHMENTS

Attachment 1 2008 Compliance Audit Return

Attachment 2 Statutory requirements omitted from the 2008 Return

VOTING REQUIREMENTS

Simple Majority

Note: It is a requirement of the Return that details of voting at the Council meeting be recorded in the Minutes.

MOVED Mr Cowin, SECONDED Cr Diaz that the Audit Committee RECOMMENDS that Council:

- 1 ADOPTS the completed Local Government Compliance Audit Return for the period 1 January 2008 to 31 December 2008 forming Attachment 1 to this Report;**
- 2 in accordance with Regulation 15 of the Local Government (Audit) Regulations 1996, SUBMITS the completed Compliance Audit Return to the Department of Local Government and Regional Development.**

Discussion ensued.

The Motion was Put and

CARRIED (4/0)

In favour of the Motion: Crs McLean and Diaz, Mayor Pickard and Mr Cowin

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION

Nil.

CLOSURE

There being no further business, the Presiding Person declared the Meeting closed at 1812 hrs; the following Elected Members being present at that time:

Cr Tom McLean
Mayor Troy Pickard
Cr Fiona Diaz
Mr Robert (Andy) Cowin