



minutes

Special Audit and Risk Committee

MEETING HELD ON

MONDAY 6 NOVEMBER 2023

Acknowledgement of Traditional Custodians

The City of Joondalup acknowledges the traditional custodians of the land, the Whadjuk people of the Noongar nation, and recognises the culture of the Noongar people and the unique contribution they make to the Joondalup region and Australia. The City of Joondalup pays its respects to their Elders past and present and extends that respect to all Aboriginal and Torres Strait Islander peoples.

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Note:

Clause 15.10 of the City's *Meeting Procedures Local Law 2013* states:

This local law applies generally to committee meetings except for clause 7.1 in respect of members seating and clause 7.8 in respect of limitation on members speaking.

CITY OF JOONDALUP

MINUTES OF THE SPECIAL AUDIT AND RISK COMMITTEE MEETING HELD IN CONFERENCE ROOM 1, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON 6 NOVEMBER 2023.

ATTENDANCE

Committee Members:

Cr Rohan O'Neill	<i>Deputy Presiding Member</i>
Mayor Hon. Albert Jacob, JP	
Cr Rebecca Pizzey	
Cr Lewis Hutton	
Cr Daniel Kingston	
Cr Russ Fishwick, JP	<i>Deputising for Cr John Raftis</i>
Cr Christine Hamilton-Prime, JP	

Observers:

Cr John Chester	
Cr Adrian Hill	
Cr Nige Jones	<i>absent from 7.46pm to 7.48pm</i>
Cr Christopher May	
Cr Phillip Vinciullo	

Officers:

Mr James Pearson	Chief Executive Officer
Mr Jamie Parry	Director Governance and Strategy
Mr Nico Claassen	Director Infrastructure Services
Mr Mat Humfrey	Director Corporate Services
Mr Chris Leigh	Director Planning and Community Development
Mrs Kylie Bergmann	Manager Governance
Mrs Vivienne Stampalija	Governance Coordinator
Mrs Deborah Gouges	Senior Governance Officer
Ms Avril Schadendorf	Governance Officer
Mrs Susan Hateley	Governance Officer

1 DECLARATION OF OPENING

The Chief Executive Officer declared the meeting open at 7.30pm.

2 DECLARATIONS OF FINANCIAL INTEREST / PROXIMITY INTEREST / INTEREST THAT MAY AFFECT IMPARTIALITY

Nil.

3 ELECTION OF PRESIDING MEMBER

Section 5.12 of the *Local Government Act 1995* (the Act) requires a committee appointed by a local government, to appoint a Presiding Member as the first item of business at its first meeting. Schedule 2.3 of the Act requires the Chief Executive Officer to preside.

Cr John Raftis nominated himself for the position of Presiding Member.

Cr Rohan O'Neill nominated himself for the position of Presiding Member.

As there were two nominations a secret ballot was held. As per clause 4(5) of Schedule 2.3 of the *Local Government Act 1995*, the votes cast under subclause (5) were counted, and a successful candidate determined.

In accordance with Schedule 4.1 of the *Local Government Act 1995*, Cr John Raftis was declared elected to the position of Presiding Member.

4 ELECTION OF DEPUTY PRESIDING MEMBER

It is open for the Committee to elect a Deputy Presiding Member, who would chair the meeting in the absence of the Presiding Member. Alternatively, if the Presiding Member is unavailable to chair the meeting and no Deputy Presiding Member has been appointed, in accordance with Section 5.14 of the Act, the Committee Members present at the meeting may choose one of themselves to preside over the meeting.

Cr Russ Fishwick nominated Cr Rohan O'Neill for the position of Deputy Presiding Member.

There being no further nominations at the close of the Election for Deputy Presiding Member, Cr Rohan O'Neill was declared elected unopposed to the position of Deputy Presiding Member.

In the absence of the Presiding Member (Cr John Raftis), the Deputy Presiding Member (Cr Rohan O'Neill) assumed the Chair at 7.44pm.

5 APOLOGIES AND LEAVE OF ABSENCE

5.1 APOLOGIES

Cr John Raftis

6 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

7 IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

In accordance with Clause 5.2 of the City's *Meeting Procedures Local Law 2013*, this meeting is not open to the public.

Cr Jones left the Meeting at 7.46pm.

8 PETITIONS AND DEPUTATIONS

Nil.

9 REPORTS

9.1 SETTING OF MEETING DATES - AUDIT AND RISK COMMITTEE (WARD - ALL)

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Director Governance and Strategy
FILE NUMBER	107022, 02153, 101515
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For the Audit and Risk Committee to consider the setting of committee meeting dates for 2023-24.

EXECUTIVE SUMMARY

In order to assist with forward planning for all Elected Members, management and staff, a schedule of meeting dates has been prepared for the Audit and Risk Committee, ensuring synergy between meeting dates and critical statutory audit operations.

The setting of the 2024 Council meeting dates is scheduled to be presented at the Council meeting to be held on 28 November 2023. This report will provide Elected Members with two alternative meeting cycle options for their consideration, which may impact on the timing for committee meeting dates.

For this reason, only the first Committee meeting date for 2024 is proposed to be set for the committee's consideration. A further report will be presented to the first committee meeting to be held in 2024, to set the remainder of committee dates for 2024.

It is therefore recommended that the Audit and Risk Committee:

- 1 *ADOPTS the following meeting dates and times for the Audit and Risk Committee of the City of Joondalup to be held at the Joondalup Civic Centre (Conference Room 1), Boas Avenue, Joondalup:*
 - 1.1 *Monday, 13 November 2023, commencing at 6.00pm;*
 - 1.2 *Monday, 11 March 2024, commencing at 6.00pm;*
- 2 *NOTES that a further report will be presented to the first Audit and Risk Committee meeting in 2024, to set the remainder of the Audit and Risk Committee meeting dates for 2024.*

BACKGROUND

The Audit and Risk Committee was established at the Special Council meeting held on 1 November 2021, and the Audit and Risk Committee's Terms of Reference were adopted at that time.

Subsequently, at the Council Meeting held on 20 September 2022 (CJ151-09/22 refers) an Audit and Risk Charter was adopted by Council including new Terms of Reference for the Audit and Risk Committee. The role of the committee is as follows:

- 1 guide and assist the City in carrying out its functions:
 - 1.1 under Part 6 - Financial Management, of the *Local Government Act 1995*;
 - 1.2 in relation to audits conducted under Part 7 - Audit, of the *Local Government Act 1995*;
 - 1.3 relating to other audits and other matters related to financial management;
- 2 review the Chief Executive Officer's report into the appropriateness and effectiveness of the City's systems and procedures in relation to risk management, internal control and legislative compliance, presented to it by the Chief Executive Officer under regulation 17 of the *Local Government (Audit) Regulations 1996* and:
 - 2.1 report to the Council the results of that review;
 - 2.2 give the Council a copy of the Chief Executive Officer's report;
- 3 review the Chief Executive Officer's report into the appropriateness and effectiveness of the City's financial management systems and procedures under regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996* and:
 - 3.1 report to the Council the results of that review;
 - 3.2 give the Council a copy of the Chief Executive Officer's report;
- 4 support the auditor of the City to conduct an audit and carry out the auditor's other duties under the *Local Government Act 1995* in respect of the City and to oversee the implementation of any actions in accordance with regulation 16(f) of the *Local Government (Audit) Regulations 1996*;
- 5 consider the adequacy and effectiveness of internal controls by reviewing reports from the Internal Auditor, the Administration, Office of the Auditor General, consultants and other external oversight agencies as appropriate;
- 6 enquiring with the Internal Auditor or the Administration about processes to detect and prevent fraud or corruption and to their awareness of any suspected, alleged or actual fraud or corruption and the City's response to it (subject to confidentiality considerations);
- 7 assessing the adequacy of the annual internal audit plan and the three-year internal audit plan;
- 8 identify and refer specific projects or investigations deemed necessary through the Chief Executive Officer, the Internal Auditor and the Council if appropriate and receive any reports detailing the results of those investigations;

- 9 review the strategic risks to the City and the plans to minimise or respond to those risks. This includes assessing whether risks that may prevent the City from achieving its objectives or maintaining its reputation have been identified.

DETAILS

The Audit and Risk Committee is a committee required to be established in accordance with the *Local Government Act 1995* and associated regulations. It is responsible for matters associated with all aspects of financial auditing, legislative compliance, risk management and reviewing the efficiency of the City's use of resources.

Meetings of this committee are usually associated with statutory reporting requirements, including endorsement of the Annual Compliance Audit Return, appointment of the City's Auditor, and adoption of the Audited Financial Statements and Annual Report.

The Compliance Audit Return is required to be endorsed by Council and submitted to the Department of Local Government, Sport and Cultural Industries before 31 March annually.

Consideration of the City's financial audit often occurs in August / September, with the audited financial statements proposed to be finalised by the Office of Auditor General (OAG) by December, enabling review and adoption of the financial statements by the committee and Council usually by the end of December. However, in recent years the presentation of the audited financial statements to Council has been delayed.

The setting of the 2024 Council meeting dates is scheduled to be presented at the Council meeting to be held on 28 November 2023. This report will provide Council with two alternative meeting cycle options for their consideration, which may impact on the timing of Committee meeting dates.

It is therefore recommended that the Committee set the dates for the remainder of 2023, and the first committee meeting date for 2024. A further report will be presented to the first committee meeting of 2024 to set the remainder of committee meeting dates for 2024.

Issues and options considered

The Audit and Risk Committee can either:

- adopt the meeting dates as proposed in this Report
or
- amend the meeting dates.

Legislation / Strategic Community Plan / Policy implications

Legislation *City of Joondalup Meeting Procedures Local Law 2013.*
Local Government Act 1995.
Local Government (Audit) Regulations 1996.
Local Government (Administration) Regulations 1996.
Local Government (Financial Management) Regulations 1996.

10-Year Strategic Community Plan

Key theme	5. Leadership.
Outcome	5-1 Capable and effective - you have an informed and capable Council backed by a highly-skilled workforce. 5-4 Responsible and financially sustainable - you are provided with a range of City services which are delivered in a financially responsible manner.
Policy	Not applicable.

Risk management considerations

Should forward planning of committee meetings not be identified, then there is a risk for meetings to be held on an ad-hoc basis, lacking coordination with other key meetings and corporate planning processes.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The proposed dates have been based on the statutory reporting outcomes required of the Audit and Risk Committee, the broader monthly meeting cycle of Council, as well as being cognisant of proposed meeting dates for a variety of other committees and civic events.

VOTING REQUIREMENTS

Simple Majority.

Cr Jones entered the Meeting at 7.48pm.

OFFICER'S RECOMMENDATION MOVED Cr Hamilton-Prime, SECONDED Cr Kingston that the Audit and Risk Committee:

- 1 ADOPTS the following meeting dates and times for the Audit and Risk Committee of the City of Joondalup to be held at the Joondalup Civic Centre (Conference Room 1), Boas Avenue, Joondalup:**
 - 1.1 Monday, 13 November 2023, commencing at 6.00pm;**
 - 1.2 Monday, 11 March 2024, commencing at 6.00pm;**
- 2 NOTES that a further report will be presented to the first Audit and Risk Committee meeting in 2024, to set the remainder of the Audit and Risk Committee meeting dates for 2024.**

The Motion was Put and

CARRIED (7/0)

In favour of the Motion: Cr O'Neill, Mayor Jacob, Cr Fishwick, Cr Hamilton-Prime, Cr Hutton, Cr Kingston and Cr Pizzey.

Against the Motion: Nil.

ATTACHMENTS

Nil

10 CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 7.50pm the following Committee Members being present at that time:

CR ROHAN O'NEILL
MAYOR HON. ALBERT JACOB, JP
CR REBECCA PIZZEY
CR LEWIS HUTTON
CR DANIEL KINGSTON
CR RUSS FISHWICK, JP
CR CHRISTINE HAMILTON-PRIME, JP