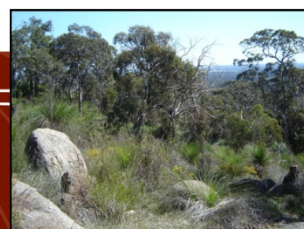


Special Council Meeting

Minutes for Monday 19 October 2015

UNCONFIRMED



**shire of
kalamunda**

INDEX

1.0	OFFICIAL OPENING.....	3
2.0	ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED	3
3.0	SWEARING IN OF NEWLY ELECTED COUNCILLORS.....	4
4.0	ELECTION OF SHIRE PRESIDENT	4
5.0	SWEARING IN OF SHIRE PRESIDENT	5
6.0	ELECTION OF DEPUTY SHIRE PRESIDENT	5
7.0	SWEARING IN OF DEPUTY SHIRE PRESIDENT	5
8.0	PUBLIC QUESTION TIME	5
9.0	PETITIONS AND DEPUTATIONS.....	6
10.0	MATTERS FOR WHICH THE MEETING MAY BE CLOSED.....	6
11.0	DISCLOSURE OF INTERESTS.....	6
12.0	APPOINTMENT TO STANDING COMMITTEES.....	6
	RESOLVED SCM 126/2015.....	7
13.0	ADJOURNMENT OF THE SPECIAL COUNCIL MEETING FOR SPECIAL MEETINGS OF EACH OF THE STANDING COMMITTEES	7
	RESOLVED SCM 127/2015.....	7
14.0	RESUMPTION OF SPECIAL COUNCIL MEETING	8
	RESOLVED SCM 128/2015.....	8
15.0	OTHER APPOINTMENTS.....	8
	RESOLVED SCM 129/2015.....	8
	RESOLVED SCM 130/2015.....	9
	RESOLVED SCM 131/2015.....	9
15.0	MEETING CLOSED TO THE PUBLIC.....	10
16.0	CLOSURE	10

MINUTES

1.0 OFFICIAL OPENING

The Chief Executive Officer opened the meeting at 6.05pm and welcomed Councillors, Councillors Elect, Staff and Members of the Public Gallery.

The Purpose of the Special Meeting of Council is to swear in Councillors elected on 17 October 2015 also to elect and swear in the Shire President and the Deputy Shire President and to appoint delegates to internal and external committees.

The Chief Executive introduced Mr Stephen Hall (Leader of Mission & Service with Baptistcare) who, as a person authorised to witness declarations, would be conducting the swearing in of the Councillors. The Chief Executive Officer presided over the meeting until the Shire President was elected.

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Councillors

Andrew Waddell JP	(Shire President) (Presiding Member)	North West Ward
Sara Lohmeyer		North West Ward
Dylan O'Connor		North West Ward
Sue Bilich		North Ward
Tracy Destree		North Ward
Simon Di Rosso		North Ward
Michael Fernie		South East Ward
John Giardina		South East Ward
Geoff Stallard		South East Ward
Allan Morton		South West Ward
Brooke O'Donnell		South West Ward
Noreen Townsend		South West Ward

Members of Staff

Rhonda Hardy		Chief Executive Officer
Gary Ticehurst		Director Corporate Services
Warwick Carter		Director Development Services
Sam Assaad	A/Director	Development & Infrastructure Services
Darrell Forrest		Manager Governance & PR
Rajesh Malde		Manager Financial Services
Donna McPherson	Executive Research Officer to the	Chief Executive Officer
Nicole O'Neil		Coordinator Public Relations
Meri Comber		Governance Officer

Guest

Stephen Hall

Members of the Public 21

Members of the Press 2

2.2 **Apologies**

Nil.

2.3 **Leave of Absence Previously Approved**

Nil.

3.0 **SWEARING IN OF NEWLY ELECTED COUNCILLORS**

3.1 Elected Councillors made a *Declaration by Elected Member of Council* in accordance with the *Local Government Act 1995*. This Declaration was made before Stephen Hall, a person authorised to witness declarations, in accordance with the *Oaths, Affidavits and Statutory Declarations Act 2005*.

Michael Andrew Fernie 230 Repatriation Road
Elected for a four year term (2015-2019) – South East Ward

Giovanni Giardina, 16 Glyde Road, Lesmurdie
Elected for a four year term (2015-2019) – South East Ward

Allan Morton, 3 The Retreat, Forrestfield
Elected for a four year term (2015-2019) – South West Ward

Brooke Louise O'Donnell, 6 Heroic Lane, Wattle Grove
Elected for a four year term (2015-2019) – South West Ward

Sara Lohmeyer, 14 Bowden Drive, High Wycombe
Elected for a four year term (2015-2019) – North West Ward

Tracy Leanne Destree-Thompson, 48 Nangkita Way, Kalamunda
Elected for a four year term (2015-2019) – North Ward

4.0 **ELECTION OF SHIRE PRESIDENT**

Returning Officer/Presiding Member – Chief Executive Officer.

The election of the Shire President was conducted in accordance with the requirements of the *Local Government Act 1995*.

The Chief Executive Officer advised receipt of two nominations for the position of Shire President; Councillor Sue Bilich and Councillor Andrew Waddell. The Chief Executive Officer called for further nominations, none were received.

A secret ballot was conducted, Councillor Andrew Waddell received nine votes and Councillor Sue Bilich received three votes. The Chief Executive Officer declared, in accordance with regulation 11F(2) of the *Local Government (Constitution) Regulations 1998*, that Councillor Andrew Waddell be elected as the Shire President of the Shire of Kalamunda for the period from 19 October 2015 until the next Ordinary Election in October 2017.

5.0 SWEARING IN OF SHIRE PRESIDENT

Councillor Andrew Waddell made the *Declaration of Office* in the presence of Stephen Hall.

The Chief Executive Officer vacated the chair and Councillor Andrew Waddell; Shire President presided over the remaining order of business.

The Shire President thanked the out-going Shire President, Councillor Sue Bilich and noted the organisation owed her a debt of gratitude for steering the Shire through very difficult times; he thanked the retiring Councillors and welcomed the new Councillors, noting there were exciting times ahead.

6.0 ELECTION OF DEPUTY SHIRE PRESIDENT

Presiding Member – Andrew Waddell
Returning Officer – Chief Executive Officer

The election of the Deputy Shire President is conducted in accordance with the requirements of the *Local Government Act 1995*.

The Shire President advised that three nominations for the position of Deputy Shire President had been received, from Councillors Tracy Destree, Simon Di Rosso and John Giardina. No further nominations were received.

A secret ballot was conducted in accordance with the requirements of the *Local Government Act 1995*, the Shire President announced the result in favour of Councillor John Giardina who received seven votes (Councillor Simon Di Rosso four votes, Councillor Tracy Destree one vote). The Returning Officer declared, in accordance with Regulation 11F(2) of the *Local Government (Constitution) Regulations 1998*, that Councillor John Giardina be elected as the Deputy Shire President of the Shire of Kalamunda for the period 19 October 2015 until the next Ordinary Election in October 2017.

7.0 SWEARING IN OF DEPUTY SHIRE PRESIDENT

Councillor John Giardina made the *Declaration of Office* in the presence of Mr Stephen Hall.

Councillor John Giardina indicated he was happy to be re-elected and was looking forward to working with the new Council.

8.0 PUBLIC QUESTION TIME

A period of not less than 15 minutes is provided to allow questions from the gallery on matters relating to the functions of this meeting. For the purposes of Minuting, these questions and answers are summarised.

8.1 Nil.

9.0 PETITIONS AND DEPUTATIONS

Nil.

10.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

10.1 Nil.

11.0 DISCLOSURE OF INTERESTS

11.1 Disclosure of Financial and Proximity Interests

- a. Members must disclose the nature of their interest in matters to be discussed at the meeting. (Sections 5.60B and 5.65 of the *Local Government Act 1995*.)
- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 and 5.71 of the *Local Government Act 1995*.)

11.1.1 Nil.

11.2 Disclosure of Interest Affecting Impartiality

- a. Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.

11.2.1 Nil.

12.0 APPOINTMENT TO STANDING COMMITTEES

The current practice of the Shire is that all Councillors are appointed as members of the Corporate & Community Services Committee and Development & Infrastructure Services Committee. (Attachment 5) sets out the Roles and Responsibilities for both these Standing Committees.

Additionally, Under Section 7.1A of the *Local Government Act 1995*, every local government is required to establish an Audit Committee of three or more persons. Under the Terms of Reference of the Audit & Risk Committee all Councillors are appointed as members of the Committee. The Terms of Reference are set out in (Attachment 6).

Voting Requirements: Absolute Majority

RESOLVED SCM 126/2015

1. **Corporate & Community Services Committee**

That each Councillor is appointed as a member of the Corporate & Community Services Committee for a term of two years, expiring on the next ordinary election day.

2. **Development & Infrastructure Services Committee**

That each Councillor is appointed as a member of the Development & Infrastructure Services Committee for a term of two years, expiring on the next ordinary election day.

3. **Audit & Risk Committee**

That each Councillor is appointed as a member of the Audit & Risk Committee for a term of two years, expiring on the next ordinary election day.

Moved: **Cr Simon Di Rosso**

Seconded: **Cr Noreen Townsend**

Vote: **CARRIED UNANIMOUSLY / ABSOLUTE MAJORITY (12/0)**

13.0 ADJOURNMENT OF THE SPECIAL COUNCIL MEETING FOR SPECIAL MEETINGS OF EACH OF THE STANDING COMMITTEES

Voting Requirements: Simple Majority

RESOLVED SCM 127/2015

That Council:

1. That the Special Meeting of Council be adjourned for a special meetings of the Corporate & Community Services Committee, the Development & Infrastructure Services Committee and the Audit & Risk Committee for the purpose of electing members to the position of Presiding Member and Deputy Presiding Member of these Committees.

Moved: **Cr Sue Bilich**

Seconded: **Cr John Giardina**

Vote: **CARRIED UNANIMOUSLY (12/0)**

The Special Council Meeting adjourned at 6.35pm.

14.0 RESUMPTION OF SPECIAL COUNCIL MEETING

Voting Requirements: Simple Majority

RESOLVED SCM 128/2015

That Council:

1. That the Special Meeting of Council be reconvened following the Special Meetings of the Corporate & Community Services Committee, the Development & Infrastructure Services Committee and the Audit & Risk Committee for the purpose of electing members to the position of Presiding Member and Deputy Presiding Member of these Committees.

Moved: **Cr Allan Morton**

Seconded **Cr Sue Bilich**

Vote: **CARRIED UNANIMOUSLY (12/0)**

The meeting reconvened at 6.50pm after conducting special meetings of the Corporate & Community Services Committee, Development & Infrastructure Committee and Audit & Risk Committee for the purpose of electing members to the position of Presiding Member and Deputy Presiding Member. All in attendance prior to the adjournment were present at the resumption of the Special Council Meeting.

15.0 OTHER APPOINTMENTS

- 15.1 The appointment of Council delegates to Regional Groups and Management/Advisory Committees forms part of the Special Meeting to ensure that Council is fully and formally represented at all times (Attachment 7).

The Presiding Member recommended that Standing Orders be suspended to discuss and agree upon the positions.

Voting Requirements: Simple Majority

RESOLVED SCM 129/2015

That the Standing Orders be suspended to discuss and agree on appointments. In the event of more than one nomination being received for a position, a secret ballot will be held after resuming Standing Orders to decide the appointments.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Noreen Townsend**

Vote: **CARRIED UNANIMOUSLY (12/0)**

Discussion took place with regard to the Delegate positions on internal and external committees. It was noted Perth Airport's Community Aviation Consultation Group no longer meet. For four Committees on (Attachment 7) more nominations were received than positions available, therefore secret ballots were required to determine the Delegates.

Voting Requirements: Simple Majority

RESOLVED SCM 130/2015

That the Standing Orders be resumed.

Moved: **Cr Simon Di Rosso**

Seconded: **Cr John Giardina**

Vote: **CARRIED UNANIMOUSLY (12/0)**

Voting Requirements: Absolute Majority

RESOLVED SCM 131/2015

That Council:

1. That nominations for the following Committees and Organisations for the period 19 October 2015 to 14 October 2017 be appointed as per the schedule contained in (Attachment 7):

- WA Local Government Association Eastern Metropolitan Zone
- East Metropolitan Regional Council
- Perth Airport Municipalities Group
- Bush Fire Control & Advisory Committee
- Darling Range Community Advisory Committee
- Kalamunda Historical Society
- Lesmurdie School Community Library Management Committee
- Community Sustainability Advisory Committee
- Community Safety and Crime Prevention Advisory Group
- Disability Access and Inclusion Advisory Committee
- Scott Reserve Advisory Committee
- Ray Owen Sports Centre Management Committee
- Hartfield Park Advisory Committee
- Kostera Oval Advisory Committee
- Seniors Week Working Party

Moved: **Cr Noreen Townsend**

Seconded: **Cr Tracy Destree**

Vote: **CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY (12/0)**

15.0 MEETING CLOSED TO THE PUBLIC

15.1 Nil.

16.0 CLOSURE

10.1 There being no further business, the Presiding Member declared the meeting closed at 7.11pm.

I confirm these Minutes to be a true and accurate record of the proceedings of this Council.

Signed: _____
Presiding Member

Dated this _____ day of _____ 2015

Attachment 1

Local Government Act 1995
Schedule 2.3
When and how mayors, presidents, deputy mayors and deputy
presidents are elected by the council
Mayors and presidents **Division 1**
cl. 1

**Schedule 2.3 — When and how mayors, presidents, deputy
mayors and deputy presidents are elected by the council**

[Sections 2.11(1)(b) and 2.15]

Division 1 — Mayors and presidents

1. Terms used

In this Division —

extraordinary vacancy means a vacancy that occurs under
section 2.34(1);

the office means the office of councillor mayor or president.

2. When council elects mayor or president

- (1) The office is to be filled as the first matter dealt with —
 - (a) at the first meeting of the council after an inaugural election
or a section 4.13 or 4.14 election or after an ordinary elections
day; and
 - (b) at the first meeting of the council after an extraordinary
vacancy occurs in the office.
- (2) If the first ordinary meeting of the council is more than 3 weeks after
an extraordinary vacancy occurs in the office, a special meeting of the
council is to be held within that period for the purpose of filling the
office.

3. CEO to preside

The CEO is to preside at the meeting until the office is filled.

4. How mayor or president is elected

- (1) The council is to elect a councillor to fill the office.
- (2) The election is to be conducted by the CEO in accordance with the
procedure prescribed.
- (3) Nominations for the office are to be given to the CEO in writing
before the meeting or during the meeting before the close of
nominations.

Local Government Act 1995

Schedule 2.3 When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council

Division 2 Deputy mayors and deputy presidents

cl. 5

- (3a) Nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.
- (4) If a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.
- (5) The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.
- (6) Subject to clause 5(1), the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with determining the result of an election) as if those votes were votes cast at an election.
- (7) As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.

[Clause 4 amended by No. 49 of 2004 s. 69(2)-(5); No. 66 of 2006 s. 14.]

5. Votes may be cast a second time

- (1) If when the votes cast under clause 4(5) are counted there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and the meeting is to be adjourned for not more than 7 days.
- (2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes.
- (3) When the meeting resumes the councillors are to vote again on the matter by secret ballot as if they were electors voting at an election.
- (4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.

Attachment 2

Local Government Act 1995

Schedule 4.1 How to count votes and ascertain the result of an election

Schedule 4.1 — How to count votes and ascertain the result of an election

[s. 4.74]

[Heading inserted by No. 15 of 2009 s. 5.]

1. The number of votes given for each candidate is to be ascertained.
2. If the election is to fill the office of mayor or president, the candidate who receives the greater or greatest number of votes is elected.
3. If the election is to fill one office of councillor, the candidate who receives the greater or greatest number of votes is elected.
4. If the election is to fill 2 or more offices of councillor, the candidates elected are —
 - (a) the candidate who receives the greatest number of votes; and
 - (b) the candidate who receives the next highest number of votes; and
 - (c) the candidate who receives the next highest number of votes, and so on up to the number of offices to be filled.
5. If 2 or more candidates receive the same number of votes so that clause 2, 3 or 4 cannot be applied, the returning officer is to draw lots in accordance with regulations to determine which candidate is elected.

[Schedule 4.1 inserted by No. 15 of 2009 s. 5.]

Attachment 3

Local Government (Constitution) Regulations 1998
Offices on councils **Part 3**

r. 10A

Part 3 — Offices on councils

10A. Terms used in this Part

In this Part —

election means an election under Schedule 2.3 to the Act;

records of the election includes —

- (a) each marked ballot paper returned to the CEO under regulation 11D(2); and
- (b) each ballot paper marked by the CEO on behalf of a council member under regulation 11E; and
- (c) each ballot paper endorsed “spoilt” under regulation 11C; and
- (d) a paper record that shows the total votes received by each candidate.

*[Regulation 10A inserted in Gazette 31 Mar 2005 p. 1044;
amended in Gazette 21 Aug 2007 p. 4184-5; 28 Aug 2009
p. 3371.]*

11. Proposals to change the method of filling the office of mayor or president (s. 2.12)

A proposal by electors under section 2.12 to change the method of filling the office of mayor or president of a local government to the other method mentioned in section 2.11(1)(a) or (b) is to be in the form of Form 4.

11A. Election of mayor, president, deputy mayor or deputy president by council (Sch. 2.3)

- (1) The CEO is to cause sufficient numbers of ballot papers to be printed for the purposes of the election.
- (2) The CEO is to cause the ballot papers to be printed so that the names of the candidates appear on the ballot paper —
 - (a) in alphabetical order; or

As at 29 Aug 2009

Version 01-e0-00

page 11

Extract from www.slp.wa.gov.au, see that website for further information

Attachment 4

	Local Government Act 1995
When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council	Schedule 2.3
Deputy mayors and deputy presidents	Division 2
	cl. 6

Division 2 — Deputy mayors and deputy presidents

6. Terms used

In this Division —

extraordinary vacancy means a vacancy that occurs under section 2.34(1);

the office means the office of deputy mayor or deputy president.

7. When the council elects the deputy mayor or deputy president

- (1) If the local government has an elector mayor or president the office of deputy mayor or deputy president is to be filled as the first matter dealt with —
 - (a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
 - (b) at the first meeting of the council after an extraordinary vacancy occurs in the office.
- (2) If the local government has a councillor mayor or president the office of deputy mayor or deputy president is to be filled —
 - (a) as the next matter dealt with after the mayor or president is elected at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
 - (b) subject to subclause (3), as the first matter dealt with at the first meeting of the council after an extraordinary vacancy occurs in the office.
- (3) If at a meeting referred to in clause 2(1)(b) the deputy mayor or deputy president is elected to be the mayor or president, the resulting extraordinary vacancy in the office is to be filled as the next matter dealt with at the same meeting.

8. How deputy mayor or deputy president is elected

- (1) The council is to elect a councillor (other than the mayor or president) to fill the office.

Local Government Act 1995

Schedule 2.3 When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council

Division 2 Deputy mayors and deputy presidents

cl. 9

- (2) The election is to be conducted in accordance with the procedure prescribed by the mayor or president, or if he or she is not present, by the CEO.
- (3) Nominations for the office are to be given to the person conducting the election in writing before the meeting or during the meeting before the close of nominations.
- (3a) Nominations close at the meeting at a time announced by the person conducting the election, which is to be a sufficient time after the announcement by that person that nominations are about to close to allow for any nominations made to be dealt with.
- (4) If a councillor is nominated by another councillor the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, orally or in writing, that he or she is willing to be nominated for the office.
- (5) The council members are to vote on the matter by secret ballot as if they were electors voting at an election.
- (6) Subject to clause 9(1) the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.
- (7) As soon as is practicable after the result of the election is known, the person conducting the election is to declare and give notice of the result in accordance with regulations, if any.

[Clause 8 amended by No. 64 of 1998 s. 54(2)-(4); No. 49 of 2004 s. 69(6)-(9).]

9. Votes may be cast a second time

- (1) If, when the votes cast under clause 8(5) are counted, there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and, not more than 7 days later, a special meeting of the council is to be held.
- (2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the special meeting is held.

Local Government Act 1995

When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council **Schedule 2.3**

Validity of elections **Division 3**
cl. 10

- (3) When the special meeting is held the council members are to vote again on the matter by secret ballot as if they were voting at an election.
- (4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, under Schedule 4.1 as if those votes were votes cast at an election.

[Clause 9 amended by No. 49 of 2004 s. 69(10).]

Attachment 5

**ROLES AND RESPONSIBILITIES
SHIRE OF KALAMUNDA STANDING COMMITTEES**



Background	The Council has two main Standing Committees to assist it undertaking the governance role for the Shire.
Related Local Law	Shire of Kalamunda Standing Orders.
Related Policies	Nil.
Management Practice	Nil.
Legislation	Section 5.8 of the <i>Local Government Act 1995</i> .

The committees will consider the following matters of business:-

Development & Infrastructure Services Committee

- Development Services – including Statutory and Strategic Planning.
- Protection of the Environment – natural and built.
- Building Control – Building Code of Australia, dispensations.
- Transport – includes streets, roads, footpath - construction and maintenance. Traffic control, private works and public works overheads. Parks and Reserves maintenance.
- Law, Order and Public Safety – fire prevention, animal control, Ranger services and security services.
- Health – Public and Environmental Health, Community Health and Wellbeing Plan
- Sanitation – including all waste management and refuse collection services.
- Extra Ordinary – urgent matters normally submitted to the Corporate & Community Services Committee.

Corporate & Community Services Committee

- General Administration – includes Members of Council (Governance) and matters of a general corporate nature.
- Finance and Borrowing.
- Economic Development.
- Welfare – including youth, seniors, aged and disabled services, care of families and children.
- Recreation and Culture – including library services, arts, festivals, tourism, public halls and buildings.
- Extra Ordinary – urgent matters normally submitted to the Development & Infrastructure Services Committee.

Attachment 6

Audit and Risk Committee

Terms of Reference

The Council of the Shire of Kalamunda has resolved to establish a committee to be known as the Audit and Risk Committee with its purpose, objectives, composition, terms of office, duties and responsibilities, as follows:

Purpose

To ensure that the audit of Council's financial and statutory functions are undertaken in accordance with the provisions of the Local Government Act 1995 and associated regulations. The Committee will also undertake a Risk Management function to ensure risk management practices and procedures are fully integrated into the Shire of Kalamunda's strategic and operational planning processes and day to day business practices.

Objectives

External Audit

- a. Is to provide guidance and assistance to the local government –
 - i. As to the carrying out its functions in relation to audits carried out under Part 7 of the Act; and
 - ii. As to the development of a process to be used to select and appoint a person to be an auditor; and
- b. Is to provide guidance and assistance to the local government as to –
 - i. Matters to be audited;
 - ii. The scope of audits;
 - iii. Its functions under Part 6 of the Act; and
 - iv. Carrying out its functions relating to other audits and other matters related to financial management.

Internal Audit

- c. Is to provide regular reports in accordance with the audit plan on –
 - i. Review of compliance with Council Policies and Practices;
 - ii. Review of key internal controls within accounting systems;
 - iii. Review of accounting systems and procedures;
 - iv. Review the annual statutory Compliance Audit Return;
 - v. Ensure monthly and annual financial reports to Council complies with legislation and Australian Accounting Standards;
 - vi. Special reports as required from time to time by the Audit Committee; and
 - vii. An assessment of risk management practices, policies and procedures used as part of operational planning processes and procedures.

Membership

All elected members.

Term of Membership

Members appointed for two (2) year terms to coincide with local government election cycle.

Meeting

The Audit and Risk Committee shall meet at least once every three months and such additional meetings as the chairperson shall decide in order to fulfil its duties. Meetings will not be open meetings in the context of Section 5.23(1) of the *Local Government Act 1995*.

Access

The Audit and Risk Committee shall have access to both the internal and external auditors.

Reporting

The Committee will report to the Council

Duties and Responsibilities

External Audit

- Develop and recommend to Council:-1) A list of those matters to be audited; and 2) the scope of the audit to be undertaken;
Note: Provision should be made to review the scope of the audit on a regular basis.
- Develop and recommend to Council an appropriate process for the selection and appointment of the person as the Shire's auditor;
Note: A person is to be appointed the auditor not a firm.
- Develop and recommend to Council a written agreement (contract) for the appointment of an auditor. The agreement to include:
 - i. The objectives of the audit;
 - ii. The scope of the audit;
 - iii. A plan of the audit;
 - iv. Details of remuneration and expenses to be paid to the auditor;
 - v. The method to be used by the Shire to communicate and supply information to the auditor;
 - vi. An evaluation program in relation to the adequacy of the financial control systems in operation at the Shire
- Meet with the auditor at least once every year and report to Council on the matters discussed and the outcome of discussions.
- Examine the reports of the Auditor – together with accompanying reports of the Chief Executive Officer or Chief Financial Officer – to ensure that adequate measures have been taken in respect of any matters of concern raised.
- Review the draft annual report focusing upon:
 - i. Accounting policies and practices;

- ii. Any changes to the accounting policies and practices;
- iii. The processes used in making significant accounting estimates;
- iv. Significant adjustments to the financial report (if any) arising from the audit process;
- v. Compliance with accounting standards and other reporting requirements; and
- vi. Significant variances from prior years.

Internal Audit

- To ensure adequate control processes are in place;
 - a. Receive regular reports from the Chief Executive Officer and/or the Internal Auditor on the relevance, appropriateness and adequacy of the internal audit processes being utilised at the Shire;
 - b. Review and make recommendations to Council on the completed Compliance Audit Return after receiving a report detailing:-1) staff explanation regarding non-compliance (if any) or where full compliance has not been received; 2) remedial action implemented to ensure future compliance.
Note: the report presented to the Audit Committee should specifically highlight those cases of non-compliance which have occurred.
- Review and ensure appropriate action is being taken in respect to:
 - Monthly bank reconciliations are up to date;
 - The ratio of collections in respect of sundry debtors is reasonable;
 - The ratio of rate collections is reasonable;
 - Inventory (stock takes) are regularly undertaken and reconciliations effected;
 - Waste Management (both household rubbish and recycling) accounts are reconciled;
 - Accounts are expeditiously rendered to debtors;
 - Funds are being appropriately invested;
 - Review Council and internal policies;
 - Taxation issues (e.g. GST) are being appropriately dealt with; and
 - Other matters deemed appropriate.
- Receive and make recommendations to Council in respect of reports from the Chief Executive Officer or the Internal Auditor which deal with such matters as those listed above.
- Review the completed Compliance Audit return and consider the following:
 - Staff explanations regarding cases of non-compliance (if any) or where full compliance has not been achieved.
 - Remedial action that has been taken or will be taken to ensure future compliance.
- The Audit and Risk Committee will not have delegated authority to decide matters on behalf of Council.
- An assessment of risk management practices, policies and procedures used as part of operational planning processes and procedures.

Attachment 7

APPOINTMENT OF COUNCIL DELEGATES 2015/2017

.NAME OF COMMITTEE	DAY	TIME	MEETING PLACE	DELEGATES & DEPUTIES 2013/2015	DELEGATES & DEPUTIES 2015/2017	DETAILS OF GROUP/COMMITTEE
WA Local Government Association East Metropolitan Zone	Fourth Thursday each second month	6.00pm	EMRC Office	Cr Lindsey Cr Di Rosso Cr Bilich <i>Vacant (Deputy)</i>	Cr Sue Bilich Cr Tracy Destree Cr Andrew Waddell <i>Cr John Giardina (Deputy)</i>	Three voting members to be appointed. The appointments are to be advised to WALGA by 31 December, and will come into effect at the first meeting in 2016.
Eastern Metropolitan Regional Council	Fourth Thursday each month	6.00pm	EMRC Office	Cr Lindsey Cr O'Connor <i>Cr Waddell (Deputy)</i>	Cr Geoff Stallard Cr Dylan O'Connor <i>Cr Andrew Waddell (Deputy)</i>	Two Councillors, traditionally the Shire President and one other Council member and a Deputy. The CEO is a member of an Advisory Committee and also appoints a Director as a member of a Technical Advisory Committee.
Perth Airports Municipalities Group.	Four meetings per year	7.00pm	Rotational	Cr O'Connor <i>Cr Whitten (Deputy)</i>	Cr Dylan O'Connor <i>Cr Sue Bilich (Deputy)</i>	To address matters arising from operations of Perth Airport and other airport matters in the metropolitan area. Manager Development Services also attends.
Bush Fire Control and Advisory Committee	March July (AGM) September	7.30pm	VBF Head-quarters Walliston	Cr Stallard <i>Cr Giardina (Deputy)</i>	Cr Geoff Stallard <i>Cr Tracy Destree (Deputy)</i>	To co-ordinate and advise Council Policy and operational matters pertaining to Bush Fire Control.
Darling Range Community Advisory Committee	Bi monthly on a Thurs (meeting schedule is provided)	5.00pm	Rotates between member Councils	Cr Stallard <i>Cr Townsend (Deputy)</i>	Cr Tracy Destree <i>Cr Sara Lohmeyer (Deputy)</i>	An advisory committee to the Department of Parks and Wildlife on environmental management and associated issues related to the Darling Range Regional Park. A team member from the Shire's Environmental Services also attends.
Kalamunda Historical Society	Third Thursday Monthly	7.30pm	Museum	Cr Townsend <i>Cr Whitten (Deputy)</i>	Cr Sue Bilich <i>Cr John Giardina (Deputy)</i>	Not a management Committee under the Act. To manage History Village and Stirk Cottage on behalf of the Shire under a Lease Agreement. A Councillor Delegate sits on the Committee.

NAME OF COMMITTEE	DAY	TIME	MEETING PLACE	DELEGATES & DEPUTIES 2013/2015	DELEGATES & DEPUTIES 2015/2017	DETAILS OF GROUP/COMMITTEE
Lesmurdie School Community Library Management Committee	At least twice per calendar year	3.30pm	Lesmurdie Library	Cr Stallard <i>Cr Lindsey (Deputy)</i>	Cr Geoff Stallard <i>Cr John Giardina (Deputy)</i>	Not a Management Committee under the Act. The Committee has equal representation and responsibility for the joint use school community library. A Legal Agreement outlines the rules and membership. One Councillor, up to three Minister of Education Officer, and two Council Officers.
Community Sustainability Advisory Committee	At least six times in a 12month period	6.00pm	Function Room	Cr Townsend Cr O'Connor <i>Cr Di Rosso (Deputy)</i>	Cr Noreen Townsend Cr Brooke O'Donnell <i>Cr Sara Lohmeyer (Deputy)</i>	An Advisory Committee to Council on environmental and sustainability matters. Terms of Reference state that there will be two Councillor members. Environmental Co-ordinator acts as the Secretary.
Community Safety and Crime Prevention Advisory Group	As required	As set	As set	Cr Bilich <i>Cr Di Rosso (Deputy)</i>	Cr Sue Bilich <i>Cr Noreen Townsend (Deputy)</i>	To consider issues relevant to the implementation of the Community Safety & Crime Prevention Plan (CSCPP). To provide advice and recommendations to Council, based on local community safety and crime prevention needs. <u>Membership</u> : A Councillor, a representative of the WA Police Services and interested community members. A staff member attends in a secretarial capacity.
Disability Access and Inclusion Advisory Committee	At least four times in any twelve (12) months	11.00am	Admin Centre	Cr Morton <i>Cr Bilich (Deputy)</i>	Cr Tracy Destree <i>Cr Allan Morton (Deputy)</i>	Primary function is to consider and make recommendations to Council on a range of issues which affect the quality of life of people with disability, their families and carers. <u>Membership</u> : At least one Councillor, Up to eight members representing a broad range of disability types and whose private and/or working lives are directly impacted by disability. A Staff member attends in a secretarial capacity.
Scott Reserve Advisory Committee	Last Tuesday of every third month	5.00pm	Scott Pavilion	Cr O'Connor <i>Cr Waddell (Deputy)</i>	Cr Dylan O'Connor <i>Cr Sara Lohmeyer (Deputy)</i>	Primary function is to provide an opportunity for all regular users to meet at regular intervals to discuss common interests of this recreation facility/reserve <u>Membership</u> : Maximum eight, a Councillor and a representative from each user group of the facility or other interested people A staff member attends in a secretarial capacity.

NAME OF COMMITTEE	DAY	TIME	MEETING PLACE	DELEGATES & DEPUTIES 2013/2015	DELEGATES & DEPUTIES 2015/2017	DETAILS OF GROUP/COMMITTEE
Ray Owen Sports Centre Management Committee	First Thursday every third month	6.30pm	Ray Owen Sports Centre	Cr Giardina <i>Cr Lindsey (Deputy)</i>	Cr John Giardina <i>Cr Michael Fernie (Deputy)</i>	To provide an opportunity for the main contributing parties to effectively manage and care for the facility. <u>Membership</u> : A Councillor, two representatives from each of the Kalamunda District Basketball Association and Kalamunda District Netball Association. A staff member attends in a secretarial capacity.
Hartfield Park Advisory Committee	First Tuesday of every third month	5.30pm	Various club room locations at Hartfield Park	Cr Morton <i>Cr Whitten (Deputy)</i>	Cr Allan Morton <i>Cr Noreen Townsend (Deputy)</i>	Primary function is to provide an opportunity for all regular users to meet at regular interval to discuss their common interests of this recreation facility/reserve <u>Membership</u> : Maximum eight, a Councillor and a representative from each user group of the facility or other interested people A staff member attends in a secretarial capacity.
Kostera Oval Advisory Committee	Second Tuesday every third month	5.30pm	Pat Moran Pavilion	Cr Di Rosso <i>Cr Bilich (Deputy)</i>	Cr Tracy Destree <i>Cr Sue Bilich (Deputy)</i>	Primary function is to provide an opportunity for all regular users to meet at regular interval to discuss their common interests of this recreation facility/reserve <u>Membership</u> : Maximum eight, a Councillor and a representative from each user group of the facility or other interested people A staff member attends in a secretarial capacity.
Seniors Week Working Party	Monthly between May and October	2.30pm	Admin. Centre.	Cr Townsend Cr Morton Cr Bilich Cr Giardina	Cr Noreen Townsend Mr Allan Morton Cr Sue Bilich Cr Brooke O'Donnell	To develop, adopt, promote and implement a program for Seniors Week. Membership is for twelve months and includes representatives from Councillors and staff.