



**SHIRE OF ASHBURTON
AUDIT AND RISK COMMITTEE MEETING**

**MINUTES
(Public Document)**

**Council Chambers, Onslow Shire
Complex, Second Avenue, Onslow
12 March 2019
9.00 am**

**PUBLIC MINUTES - AUDIT AND RISK COMMITTEE MEETING
12 MARCH 2019**

**SHIRE OF ASHBURTON
AUDIT AND RISK COMMITTEE MEETING**

The Chief Executive Officer recommends the endorsement of these minutes at the next Ordinary Meeting of Council.

CEO: 

Date: 12.03.2019

These minutes were confirmed by Council as a true and correct record of proceedings of the Audit and Risk Committee Meeting on the 12/03/2019.

Presiding Member: _____

Date: _____

DISCLAIMER

The resolutions contained in the Minutes are subject to confirmation by Council. The Shire of Ashburton warns that anyone who has any application lodged with Council must obtain and should only rely on written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by the Council in respect of the application. No responsibility whatsoever is implied or accepted by the Shire of Ashburton for any act, omission or statement or intimation occurring during a Council meeting.

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1. DECLARATION OF OPENING

The Presiding Member declared the meeting open at 9.01 am.

1.1 ACKNOWLEDGEMENT OF COUNTRY

As representatives of the Shire of Ashburton Council, we respectfully acknowledge the local Indigenous people, the traditional custodians of this land where we are meeting upon today and pay our respects to them and all their elders both past, present and future.

2. ATTENDANCE

2.1 PRESENT

| | | |
|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Members: | Cr P Foster Cr K White Cr D Dias | Tom Price Ward (Presiding Member) Onslow Ward Paraburdoo Ward |
| Staff: | Mr. R Paull Mr. J Bingham Mr. B Cameron Mrs. S Johnston Mr. I Hamilton Mrs. N Tyson Ms. J Smith Mrs. M Lewis | Chief Executive Officer Director Corporate Services Director Property and Development Services Acting Director Community Services Director Infrastructure Manager Governance & Corporate Strategy Executive Coordinator Council Support Officer |
| Guests: | Ms. J Law | Consultant |
| Members of Public: | There were no members of the public in attendance at the commencement of the meeting. | |
| Members of Media: | There were no members of the media in attendance at the commencement of the meeting. | |

2.2 APOLOGIES

Cr M Lynch Tom Price Ward

2.3 APPROVED LEAVE OF ABSENCE

3. ANNOUNCEMENT OF VISITORS

There were no Councillors on approved leave of absence.

4. DECLARATION BY MEMBERS

4.1 DUE CONSIDERATION BY COUNCILLORS TO THE AGENDA

Councillors Foster, White and Dias noted that they had given due consideration to all matters contained in the Agenda presently before the meeting.

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4.2 DECLARATIONS OF INTEREST

Councillors to Note

A member who has an Impartiality, Proximity or Financial Interest in any matter to be discussed at a Council or Committee Meeting that will be attended by the member must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting
Or;
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (a) Preside at the part of the Meeting, relating to the matter or;
- (b) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the *Local Government Act 1995*.

NOTES ON DECLARING INTERESTS (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have an interest in a matter.

These notes are included in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
 - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the *Local Government Act*, or

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- 6.2 Where the Minister allows the Councillor to participate under s.5.69 (3) of the *Local Government Act*, with or without conditions.

Declarations of Interest provided:

| Item Number/ Name | Type of Interest | Nature/Extent of Interest |
|----------------------------------------|------------------|---------------------------|
| There were no Declarations of Interest | | |

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5.1 AUDIT AND RISK COMMITTEE MEETING HELD ON 18 DECEMBER 2018

| |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Committee Decision |
| MOVED: Cr D Dias |
| SECONDED: Cr K White |
| That the Unconfirmed Minutes of the Audit and Risk Committee Meeting held on 18 December 2018 (ATTACHMENT 5.1) be confirmed as a true and accurate record. |
| CARRIED 3/0 |
| Councillors Foster, White and Dias voted for the motion |

6. TERMS OF REFERENCE

Under the *Local Government Act 1995 (Act)*, Local Governments are required to appoint an Audit Committee (section 7.1A of the *Local Government Act 1995*).

An Audit and Risk Committee is to provide guidance and assistance to the Local Government – as to the carrying out of its functions in relation to audits carried out under Part 7 of the *Act* and as to the development of a process to be used to select and appoint a person to be an auditor and may provide guidance and assistance to the Local Government as to – matters to be audited, the scope of audits, its functions under Part 6 of the *Act* and the carrying out of its functions relating to other audits and other matters related to financial management (clause 16 *Local Government (audit) Regulations 1996*).

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7. AGENDA ITEMS

**7.1 LOCAL GOVERNMENT COMPLIANCE AUDIT RETURN 2018 FOR THE
SHIRE OF ASHBURTON**

MINUTE: 516/2019

FILE REFERENCE: GV32

**AUTHOR'S NAME AND
POSITION:** Nicky Tyson
Manager Governance & Corporate Strategy

**NAME OF APPLICANT/
RESPONDENT:** Rob Paull
Chief Executive Officer

DATE REPORT WRITTEN: 18 February 2019

**DISCLOSURE OF FINANCIAL
INTEREST:** The author and authorising officer have no financial,
proximity or impartiality interests in the proposal.

**PREVIOUS MEETING
REFERENCE:** Agenda Item 9.2.2 – Ordinary Meeting of Council 13
March 2018

Summary

Each local government is to carry out a Compliance Audit annually. This Compliance Audit Return (Compliance Audit) is for the period of 1 January to 31 December 2018. The Compliance Audit for the year 2018 is presented to the Audit and Risk Committee for review. Staff consider the Compliance Audit is fully compliant and referral to Council is requested.

Background

The Compliance Audit is to assist Council in monitoring its organisational functions. Council is required to note any areas of non-compliance and endorse remedial action.

The Audit is provided by the Department of Local Government, Sport and Cultural Industries (Department) through their secure website platform called 'Smart Hub'. The same audit is required to be completed by every WA local government. The Department considers, from a large range of issues it can audit, which ones will be specific to the year in question (i.e. each year the audit questions can change).

For 2018, there were 95 questions over 9 disciplines. The return has been completed by the respective areas and is fully compliant.

ATTACHMENT 7.1

Comment

The Compliance Audit is required to be presented to Council for adoption before its submission to the Department.

Consultation

Executive Management Team
Manager Governance & Corporate Strategy

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Statutory Environment

Section 7.13 of the *Local Government Act 1995*, and
Regulations 13, 14 & 15 of the *Local Government (Audit) Regulations 1996*.

Financial Implications

There are no known financial implications for this matter.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017 - 2027
Goal 5 – Inspiring Governance
Objective 3 – Council Leadership

Risk Management

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be "High". The high level of risk is being driven by the risk of a compliance breach requiring an internal investigation. As a high risk matter, the Chief Executive Officer and his staff actively monitor these matters.

Policy Implications

There are no known policy implications to this matter.

Voting Requirement

Simple Majority Required

Officers Recommendation and Committee Decision

MOVED: Cr K White

SECONDED: Cr D Dias

That with respect to the Local Government Compliance Audit Return 2018 for the Shire of Ashburton, the Audit and Risk Committee recommend, that Council:

- 1. Note and accept the Compliance Audit Return (ATTACHMENT 7.1) for the local government of the Shire of Ashburton for the period 1 January 2018 to 31 December 2018; and**
- 2. Request the Chief Executive Officer to submit a certified copy of the Compliance Audit Return to the Director General of the Department of Local Government Sport and Cultural Industries by 31 March 2019.**

CARRIED 3/0

Councillors Foster, White and Dias voted for the motion

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7.2 CORPORATE BUSINESS PLAN – QUARTERLY PROGRESS REPORT

MINUTE: 517/2019

FILE REFERENCE: CM03

AUTHOR'S NAME AND POSITION: Nicky Tyson
Manager Governance & Corporate Strategy

AUTHORISING OFFICER AND POSITION: Rob Paull
Chief Executive Officer

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 18 February 2019

DISCLOSURE OF FINANCIAL INTEREST: The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

PREVIOUS MEETING REFERENCE: Agenda Item 9.2.2 – Ordinary Meeting of Council 18 December 2018

Summary

Council adopted its latest iteration of the Shire of Ashburton Corporate Business Plan (CBP) 2018 – 2022 on 18 June 2018. While formal reporting of progress in relation to the CBP is to occur annually, via the Shire's Annual Report, it was recommended that progress reports are presented to Council on a more regular basis.

The intention is to provide progress reports to Council on a three monthly basis. This is the third status report of the CBP for the 2018/19 financial year, showing further progress of how the Shire is meeting the actions linked to defined strategic directions.

Background

The CBP outlines the strategic and operational objectives to be achieved in the four year period. The CBP demonstrates activities and projects that are fully resourced and have appropriate timelines and performance measures.

The CBP is underpinned by a series of informing strategies and plans which include the:

- 10 year Long-Term Financial Plan;
- Workforce Plan that is reviewed every four years in conjunction with the CBP;
- Asset Management Plans for the life cycle of all assets including maintenance and replacement programs;
- adopted Annual Budget; and
- any relevant issue specific strategies and plans for major projects or key developments.

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Comment

The CBP identifies five Focus Areas in line with our Strategic Community Plan, as follows:

1. Vibrant and Active Communities;
2. Economic Prosperity;
3. Unique heritage and Environment;
4. Quality Services and Infrastructure; and
5. Inspiring Governance

This new reporting function of Quarterly Progress Report (QPR) combines all 2018/19 Capital Expenditure (CAPEX) projects along with multiple operating accounts linked to the relevant actions within the CBP. This data is generated from a new module directly linked to Synergy so as to give 'up to date' financials, similar to that of previous CAPEX reports.

ATTACHMENT 7.2

This new reporting function directly addresses each project as identified including commentary on the relevant projects status.

Any projects or priorities not allocated or achieved within this financial year will be the focus of the following CAPEX and annual budget review for the subsequent years of the plan.

Each action links to the Shire of Ashburton Strategic Community Plan and allows Council and the community to ensure the 'Plan for the Future' requirements are being met.

Until otherwise agreed, Council will still be provided a monthly Capital Expenditure update in addition to the QPR.

In order to ensure that all Councillors are kept abreast of the quarterly updates as provided in the CPB, it is recommended that *Corporate Business Plan – Quarterly Progress Reports* are provided directly to Council.

Consultation

Executive Management Team
Manager Governance & Corporate Strategy

Statutory Environment

Local Government Act 1995

Section 5.56. Planning for the Future

(1) A local government is to plan for the future of the district.

(2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district

Local Government (Administration) Regulations 1996

Section 19DA Corporate Business Plans, requirements for (Act s 5.56)

Section 19DB (5) Corporate Business Plans, requirements for (Act s 5.56).

Financial Implications

All items as per the adopted 2018/19 budget.

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Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027

Multiple Goals and Objectives will be achieved over the course of the financial year.

ATTACHMENT 7.2 references actions linked to the relevant Goal and Objective.

Risk Management

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be 'Moderate' risk that will be managed by policy, procedures and monitoring by Governance and the CEO.

There is a level of reputational risk to the organisation in not achieving the proposed projects, this will be closely managed by the Chief Executive Officer, Manager Governance along with the individual responsible owners of each linked project.

Policy Implications

There are no known policy implications for this matter.

Voting Requirement

Simple Majority Required

Officers Recommendation and Committee Decision

MOVED: Cr D Dias

SECONDED: Cr K White

That with respect to the Corporate Business Plan – Quarterly Progress Report that the Audit and Risk Committee recommend, that Council:

- 1. Accept the third quarterly progress report for the 2018/19 Financial Year of the Shire of Ashburton's Corporate Business Plan 2018 -2022; and**
- 2. Request the Chief Executive Officer to provide Corporate Business Plan – Quarterly Progress Reports directly to Council.**

CARRIED 3/0

Councillors Foster, White and Dias voted for the motion

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7.3 OFFICE OF AUDITOR GENERAL – APPOINTMENT OF AN AUDITOR

MINUTE: 518/2019

FILE REFERENCE: FM09

AUTHOR'S NAME AND POSITION: John Bingham
Director Corporate Services

AUTHORISING OFFICER AND POSITION: Rob Paull
Chief Executive Officer

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 19 February 2019

DISCLOSURE OF FINANCIAL INTEREST: The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

PREVIOUS MEETING REFERENCE: Agenda Item 13.2 (Minute No. 12056) – Ordinary Meeting of Council 16 February 2016

Summary

In February 2016, Council appointed Moore Stephens (MS) as its auditor for a period of three years commencing on 1 July 2015. On 1 September 2017 Parliament amended the *Local Government Amendment (Auditing) Act 2017* mandating the Office of the Auditor General (OAG) power to audit local governments.

This report informs Committee of the OAG's decision earlier this month to appoint a new external auditor for the 2018/19 financial year.

Background

On 1 September 2017 the Western Australian Parliament amended the *Local Government Amendment (Auditing) Act 2017*. This amendment mandated the OAG to audit local governments. In other words the OAG is officially the Shire's external auditor for the 2018/19 financial year.

The Shire was in contract with MS as its external auditor until 30/6/2018. This engagement culminated in a visit by MS Auditing Partner, Mr Wen Shien Chai, to the December 2018 Ordinary Meeting of Council in Onslow to discuss the results of what was a successful audit of the Shire's 2017/18 accounts.

In February 2018, Ms Rachel Edwards, Director Communications at the OAG, advised the Shire it was the intention of the Auditor General to extend the Shire's contract for at least another year i.e. to do the 2018/19 audit. The reason given was to ensure some consistency for the Shire and OAG to share the knowledge and experience MS had already gained through its existing work with the Shire.

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The only difference would be that contracting for an auditor would be the responsibility of the OAG and not the Shire of Ashburton. Essentially this means the OAG takes care of the Shire's auditing contract i.e. Council is no longer required to undertake this task as it last did in February 2016 when appointing MS.

The OAG has advised the Shire it should expect an increase of up to 100% on previous Annual Report audit fees - for 2017/18 costs associated with the external audit totalled \$36,367 excl. GST. The forecast costs for 2018/19 will be reviewed through the normal budgeting process when provisioning for auditing fees.

Comment

On Friday 8 February 2018, the OAG advised the Shire it was their intention to go to tender for the 2018/19 external audit contract. Further to this the Shire was informed the decision was due to the perceived conflict of interest between 'Audit and Assurance Services' and 'Business Advisory Services' in the areas of Integrated Planning (e.g. Corporate Business Plan, Long Term Financial Plan and Rating Strategy) – both provided to the Shire by MS.

A conflict of interest is a situation in which an auditor, who is in a position of trust, has a competing professional or personal interest. Such competing interests can make it difficult to fulfil his or her duties impartially. A conflict of interest exists even if no unethical or improper act results. Correspondence from the OAG has been received addressing the new auditing arrangements.

ATTACHMENT 7.3

The OAG tender closed on 28 February 2019. On 6 March 2019 the OAG advised that RSM has been appointed as the Shire's external auditor for a 2 year period. Further to this contact will now be made with the newly appointed auditor to schedule dates for the interim visit (usually in May) as well as the final audit (usually in October). Early indication from the OAG is the onsite visits will likely be longer than previous ones made by MS i.e. a week or so compared to 2-3 days.

At the conclusion of the audit the auditors will report to the OAG who will certify the accounts and issue the Management Letter noting important issues for Council to consider e.g. compliance with the *Local Government Act 1995* and ratio analysis. All OAG correspondence is then submitted to the Ministers Office.

Consultation

Executive Management Team
Office of Auditor General

Statutory Environment

Local Government Act 1995 – Section 7.3 - Appointment of Auditors

Local Government Audit Regulations 1996 - Regulation 17

Local Government Amendment (Auditing) Act 2017

Local Government Operational Guidelines Number 09 – Audit in Local Government

Financial Implications

The appointment of the 2018/19 auditor will substantially increase the cost of the service (potentially an increase of up to 100% on previous Annual Report audit fees).

The Shire should expect an increase of up to 100% on previous Annual Report audit fees - for 2017/18 costs associated with the external audit totalled \$36,367 Excl. GST.

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The forecast costs for 2018/19 will be reviewed through the normal budgeting process when provisioning for auditing fees.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027

Goal 4 – Quality Services and Partnerships

Objective 01 – Quality public infrastructure

Risk Management

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be "Medium to High" and will need to be managed by improving policies, procedures and staff awareness training within the current level of available Shire resources.

Policy Implications

There are no policy implications for this matter.

Voting Requirement

Simple Majority Required

Officers Recommendation and Committee Decision

MOVED: Cr D Dias

SECONDED: Cr K White

That with respect to the Office of Auditor General – Appointment of an Auditor, the Audit and Risk Committee recommend that Council:

- 1. Confirm it is no longer required to undertake the task of appointing the external auditor as the Local Government Amendment (Auditing) Act 2017 mandates the responsibility to the Office of Auditor General;**
- 2. Acknowledge the engagement of RSM by the Office of Auditor General as the Shire's external auditor for a 2 year period; and**
- 3. Consider a submission to the 2019/20 Annual Budget that provides for a provision of \$70,000 for external auditor services.**

CARRIED 3/0

Councillors Foster, White and Dias voted for the motion

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8. CONFIDENTIAL MATTERS

Under the Local Government Act 1995, Part 5, and Section 5.23, states in part:

1. If a meeting is being held by a Council or by a committee referred to in subsection (1)(b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following:

(a) a matter affecting an employee or employees;

(b) the personal affairs of any person;

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;

(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;

(e) a matter that if disclosed, would reveal:

(I) a trade secret;

(II) information that has a commercial value to a person; or

(III) information about the business, professional, commercial or financial affairs of a person,

Where the trade secret or information is held by, or is about, a person other than the local government.

(f) a matter that if disclosed, could be reasonably expected to:

(I) Impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;

(II) Endanger the security of the local government's property; or

(III) Prejudice the maintenance or enforcement of any lawful measure for protecting public safety;

(g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1981; and

(h) such other matters as may be prescribed.

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Committee Decision

MOVED: Cr D Dias

SECONDED: Cr K White

That Council close the meeting to the public at 9.12 am pursuant to sub section 5.23 (2) (a) and (b) of the *Local Government Act 1995*.

CARRIED 3/0

Councillors Foster, White and Dias voted for the motion

**8.1 CONFIDENTIAL ITEM - UPDATE ON WITTENOOM LITIGATION AND
WITTENOOM STEERING COMMITTEE**

MINUTE: 519/2019

FILE REFERENCE: LS34

**AUTHOR'S NAME AND
POSITION:** Keith Pearson
Special Projects Advisor

Janyce Smith
Executive Officer

**AUTHORISING OFFICER AND
POSITION:** Rob Paull
Chief Executive Officer

**NAME OF APPLICANT/
RESPONDENT** Not Applicable

DATE REPORT WRITTEN: 19 February 2019

**DISCLOSURE OF FINANCIAL
INTEREST:** The author and the authorising officer have no financial
proximity or impartiality interests in the proposal.

**PREVIOUS MEETING
REFERENCE:** Confidential Agenda Item 8.1 (Minute No. 35/2018) –
Audit and Risk Committee Meeting 18 December 2018

REASON FOR CONFIDENTIALITY

The Chief Executive Officer's Report is confidential in accordance with s5.23 (2) *the Local Government Act 1995* because it deals with matters affecting s5.23 (2):

- (b) *the personal affairs of any person;*
- (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.*

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Officers Recommendation and Committee Decision

MOVED: Cr D Dias

SECONDED: Cr K White

That with respect to the Confidential Item – Update on Wittenoom Litigation and Wittenoom Steering Committee, the Audit and Risk Committee recommend that Council:

- 1. Receive the Confidential Item – Update on Wittenoom Litigation and Wittenoom Steering Committee report and remain confidential in accordance s5.23 (2)(b) & (d) of the *Local Government Act 1995*; and**
- 2. Ensure that the Shire management continue to provide Wittenoom Litigation Progress Reports to the Audit and Risk Committee.**

CARRIED 3/0

Councillors Foster, White and Dias voted for the motion

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8.2 CONFIDENTIAL ITEM - CLOSURE OF CERTAIN ROADS IN WITTENOOM

MINUTE: 520/2019

FILE REFERENCE: LS34

AUTHOR'S NAME AND POSITION: Keith Pearson
Special Projects Advisor

AUTHORISING OFFICER AND POSITION: Rob Paull
Chief Executive Officer

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 18 February 2019

DISCLOSURE OF FINANCIAL INTEREST: The author and the authorising officer have no financial proximity or impartiality interests in the proposal.

PREVIOUS MEETING REFERENCE: Agenda Item 12.05.30, Council Meeting 22 May 2007
Agenda Item 10.12.29, Council Meeting 8 December 2007

REASON FOR CONFIDENTIALITY

The Chief Executive Officer's Report is confidential in accordance with s5.23 (2) *the Local Government Act 1995* because it deals with matters affecting s5.23 (2):

- (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.*

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Officers Recommendation and Committee Decision

MOVED: Cr D Dias

SECONDED: Cr K White

That with respect to Confidential Item - Closure of Certain Roads in Wittenoom, the Audit and Risk Committee recommend Council:

- 1. Approve the closure of all roads in the former Wittenoom townsite to all traffic other than Wittenoom residents and their associates for a period of 12 months, in accordance with Section 3.50 of the Local Government Act 1995 (Act) and to give formal notice for the closure in accordance with 3.50 (1a) of the Act.**
- 2. Approve the closure of Bolitho Road, Wittenoom to all traffic for period of 12 months, in accordance with Section 3.50 of the Act and to give formal notice for the closure in accordance with 3.50 (1a) of the Act.**
- 3. Direct the Chief Executive Officer to implement appropriate signage to inhibit traffic traversing the closed roads as provided in 1 and 2 above.**

CARRIED 3/0

Councillors Foster, White and Dias voted for the motion

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8.3 CONFIDENTIAL ITEM - STRATEGIC CYBER SECURITY REVIEW

MINUTE: 521/2019

FILE REFERENCE: FM09

AUTHOR'S NAME AND POSITION: John Bingham
Director Corporate Services

AUTHORISING OFFICER AND POSITION: Rob Paull
Chief Executive Officer

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 19 February 2019

DISCLOSURE OF FINANCIAL INTEREST: The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

PREVIOUS MEETING REFERENCE: Not Applicable

REASON FOR CONFIDENTIALITY

The Chief Executive Officer's Report is confidential in accordance with s5.23 (2) *the Local Government Act 1995* because it deals with matters affecting s5.23 (2):

- (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.*
- (f) *a matter that if disclosed, could be reasonably expected to:*
 - (I) *Impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;*
 - (II) *Endanger the security of the local government's property; or*
 - (III) *Prejudice the maintenance or enforcement of any lawful measure for protecting public safety;*
- (h) *such other matters as may be prescribed*

Officers Recommendation and Committee Decision

MOVED: Cr K White

SECONDED: Cr D Dias

That with respect to the Strategic Cyber Security Review, the Audit and Risk Committee recommend Council note the outcomes of the review (CONFIDENTIAL ATTACHMENT 8.3) including areas of improvement and recommendations.

CARRIED 3/0
Councillors Foster, White and Dias voted for the motion

**PUBLIC MINUTES - AUDIT AND RISK COMMITTEE MEETING
12 MARCH 2019**

Committee Decision

MOVED: Cr K White

SECONDED: Cr D Dias

That Council re-open the meeting to the public at 9.18 am pursuant to sub section 5.23 (2) (a) and (b) of the *Local Government Act 1995*.

CARRIED 3/0

Councillors Foster, White and Dias voted for the motion

9. NEXT MEETING

The next Audit and Risk Committee Meeting will be held on Tuesday 18 June 2019 at the Ashburton Hall, Ashburton Avenue, Paraboradoo at a time to be advised.

10. CLOSURE OF MEETING

The Presiding Member closed the meeting at 9.19 am.

UNCONFIRMED MINUTES