

This charter document defines the membership, authority, purpose, operational guidelines, responsibilities and resources of the Town of Cottesloe Audit Committee, established by Council pursuant to division 1A, section 7.1A of the *Local Government Act 1995* (the Act) and the *Local Government (Audit) Regulations 1996* (the Regulations).

## 1. Name

The name of this Committee is 'Town of Cottesloe Community Audit Committee'. All references to 'Committee' in this charter mean 'Town of Cottesloe Audit Committee'.

## 2. Establishment

This Committee is established under the provisions of the Act, particular division 1A, section 7.1A.

## 3. Guiding Principles

This Committee is established with the guiding principles prescribed in the Act, the Regulations and the *Local Government (Financial Management) Regulations 1996*.

## 4. Vision

The Vision of this Committee is to review the annual financial audit and other associated matters and ensure that Council's financial systems are able to produce all financial statements free of material error and without a qualified audit statement.

## 5. Terms of Reference

- a. Is to meet with the auditor at least once in every year.
- b. Is to review the annual Department of Local Government Compliance Audit Return and report to Council the results of that review

Under section 16 of the Regulations, the Audit Committee:

- (a) *is to provide guidance and assistance to the local government —*
  - (i) *as to the carrying out of 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) *may provide guidance and assistance to the local government as to —*
  - (i) *matters to be audited; and*
  - (ii) *the scope of audits; and*
  - (iii) *its functions under Part 6 of the Act; and*
  - (iv) *the carrying out of its functions relating to other audits and other matters related to financial management.*

- (c) *is to review a report given to it by the CEO under Regulation 17.3 (the CEO's report) and is to:*
- (i) *report to the Council the results of that review; and*
  - (ii) *Give a copy of the CEO's report to the Council.*

## 6. Membership

Pursuant to division 1A, section 7.1A of the Act:

- (2) *The members of the audit committee of a local government are to be appointed\* by the local government and at least 3 of the members, and the majority of the members, are to be council members.*  
*\* Absolute majority required.*
- (3) *A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.*
- (4) *An employee is not to be a member of an audit committee.*

At the Ordinary Meeting of Council held 31 October 2017 it was resolved:

*That Council appoints Cr Rodda, Cr Young, and Cr Boulter as members and Mayor Angers as deputy member of the Audit Committee.*

*Carried 9/0*

Any non-elected member (community representative) appointed to the Committee shall have qualifications and/or professional experience that will enhance the expertise available to Elected Members serving on the Committee.

Vacancies for the community representatives will be advertised in the local papers, the Town of Cottesloe webpage and notice boards. Council will then select and appoint new members.

Community representation is valid for two years, until the person resigns, the Committee is disbanded or the next Ordinary Council Election, which ever happens first. Nothing prevents an existing member re-nominating.

## 7. Meetings

### 7.1 Annual General Meeting

Nil

### 7.2 Committee Meetings

Meetings shall be held not more frequently than every two months, unless a special meeting of the Committee is called for a specified purpose.

### 7.3 Quorum

The quorum for any meeting of this Committee shall be 50 percent plus 1 members as endorsed by Council at the time of the meeting.

#### 7.4 Voting

Shall be in accordance with section 5.21 of the Act, with all members endorsed as voting members entitled and required to vote, subject to the provisions of the Act which deal with Financial and Proximity Interests.

#### 7.5 Minutes

The Minutes of the meeting shall be recorded and prepared as per the provisions of section 5.22 of Act.

The content of the minutes shall be in accordance with the *Local Government (Administration) Regulations 1996* section 11.

*The content of minutes of a meeting of a council or a committee is to include —*

- (a) the names of the members present at the meeting; and*
- (b) where a member enters or leaves the meeting during the course of the meeting, the time of entry or departure, as the case requires, in the chronological sequence of the business of the meeting; and*
- (c) details of each motion moved at the meeting, the mover and the outcome of the motion; and*
- (d) details of each decision made at the meeting; and*
- (da) written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70 (but not a decision to only note the matter or to return the recommendation for further consideration); and*
- (e) a summary of each question raised by members of the public at the meeting and a summary of the response to the question; and*
- (f) in relation to each disclosure made under section 5.65 or 5.70 in relation to the meeting, where the extent of the interest has also been disclosed, the extent of the interest.*

If the Committee resolves, the minutes may include a table of ‘action items’, summarising the agreed actions.

#### 7.6 Who acts if the presiding member is unavailable

Shall be in accordance with section 5.14 of the Act.

#### 7.7 Meetings

Meetings shall be generally open to the public as per the provisions of section 5.23 of the Act.

#### 7.8 Public Question Time

As the Committee has no delegated powers (section 5.24 of the Act), there is no specific provision for public question time.

#### 7.9 Members’ Conduct

Council Members of the Committee shall be bound by the following

- The provisions of section 5.65 of the Act;
- Town of Cottesloe *Standing Orders Local Law 2012*;
- Town of Cottesloe Code of Conduct;
- *Local Government (Rules of Conduct) Regulations 2007*; and
- Regulation 34C of the *Local Government (Administration) Regulations 1996*,

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with respect to their conduct at meetings and their duty of disclosure.

Elected Members and Officers of the Town of Cottesloe will be bound by these provisions, relating specifically to their participation in the Committee, at all times.

Any community member appointed to this Committee is not bound to declare impartiality interests, unlike Councillors and Employees of Local Government. Community members are not bound by the Rules of Conduct Regulations but will be bound by the Town of Cottesloe Code of Conduct.

### 7.10 Secretary

The Chief Executive Officer (or their nominated representative) shall undertake the following secretarial duties;

- Prepare and distribute meeting papers as required
- Attend and record the Minutes of the meeting
- Provide the administrative support required to present the outcomes of the meeting to Council for consideration where required.

### 7.11 Presiding Member

The members (voting) will elect a presiding member and deputy member at the first meeting after these positions become vacant for any reason. The voting on and appointment of the presiding member and deputy member shall be in accordance with the provisions of section 5.12 of the Act.

### 7.12 Meeting attendance fees

Nil

## 8. Delegated Authority

This committee has no delegated authority.

## 9. Endorsement

This Charter was endorsed by the Town of Cottesloe Audit Committee at its meeting on \_\_\_\_\_.

This Charter was endorsed by the Town of Cottesloe Council at its meeting on \_\_\_\_\_.