



MINUTES OF AUDIT COMMITTEE MEETING HELD 13 JULY 2010.

I hereby certify that the Minutes of the Audit Committee meeting held 13 July 2010 are a true and accurate record of the proceedings contained therein.

Chairperson Confirmed

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1 Declaration of Opening

The Chair was an apology for the meeting so the Chief Executive Officer opened the meeting 4.30pm and called for nominations for chair for the meeting.

COMMITTEE RESOLUTION

Minute AC214

Moved: Cr D Ausburn

Seconded: Cr J Parker

That Cr F Mill be elected acting chair of the Audit Committee.

Carried Unanimously: 3/0

2 Record of Attendance

Cr F Mills	(Acting Chair)
Cr D Ausburn	Committee Member
Cr J Parker	Committee Member

Gary Gaffney	Chief Executive Officer
Jo-Anne Ellis	Director Corporate Services
Gill Old	Manager Financial Services

Apologies

Cr K Wright	Committee Chair
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3 Declaration of Interest

- Financial
Nil
- Members Impartially Interest
Nil
- Proximity Interest
Nil

4 Acceptance of Minutes of Previous Meeting

4.1 Audit Committee Meeting Minutes 29 June 2010

Recommendation

That the minutes of the Audit Committee meeting of the 29 June 2010 be accepted as a true and accurate record of proceedings.

COMMITTEE RESOLUTION

Minute AC215

Moved: Cr D Ausburn

Seconded: Cr J Parker

That the minutes of the Audit Committee meeting of the 29 June 2010 be accepted as a true and accurate record of proceedings.

Carried Unanimously: 4/0

5 Officer's Report

5.1 Standing Item - 90 Day Aged Debtors Listing

DATE:	6 July 2010
PROponent:	N/A
LOCATION:	N/A
AUTHOR:	Kelly D'Arcy, Senior Finance Officer
REPORTING OFFICER:	Jo-Anne Ellis, Director Corporate Services
FILE NO:	60.14.03
ASSESSMENT NO:	N/A

PURPOSE

To present the listing of Aged Debtors with balances outstanding for 90 days or longer.

BACKGROUND

The listing of 90 Day Sundry Debtors has traditionally been provided at the Ordinary Council Meeting on a monthly basis. At the 21 February Audit Committee Meeting the Committee resolved to recommend to Council that the Audit Committee be presented with the item as this falls within the scope of the committee's purpose.

The following recommendation was adopted by Council at Ordinary Meeting on 18 March 2008:

Minute No: 8102

Moved: Cr K Wright

Seconded: Cr Paul Caley

That Council:

- 1. That the 90 days debtor list be removed from the Council Agenda as a standing item and be presented to the Audit Committee for consideration and to make recommended actions to Council.*

Carried Absolute Majority 8/0

STATUTORY IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Ongoing management of Council funds.

STRATEGIC IMPLICATIONS

Key Result Area 5 – Governance

COMMUNITY CONSULTATION

Community Consultation is not required in relation to this item.

COMMENT

The listing of 90 Day Sundry Debtors is presented to the Audit Committee as per Council resolution.

ATTACHMENTS

Sundry Debtors as at 6 July 2010
Sundry Debtors as at 6 July 2010 including debtor names
(Confidential Attachment provided under separate cover)

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That the Audit Committee

1. receives and accepts the listing of 90 Day Sundry Debtors as at 6 July 2010 totalling \$98,905.97 (GST inclusive); and
2. reports to Council that the actions being undertaken by the administration in regard to 90 Day Sundry Debtors are sufficient and appropriate and no further actions are recommended at this time.

COMMITTEE RESOLUTION

Minute AC216

Moved: Cr D Ausburn

Seconded: Cr J Parker

That the Audit Committee

1. **receives and accepts the listing of 90 Day Sundry Debtors as at 5 May receives and accepts the listing of 90 Day Sundry Debtors as at 6 July 2010 totalling \$98,905.97 (GST inclusive); and**
2. **reports to Council that the actions being undertaken by the administration in regard to 90 Day Sundry Debtors are sufficient and appropriate and no further actions are recommended at this time.**

Carried Unanimously: 3/0

Attachment 1
Sundry Debtors as of 6 July 2010

Debtor Number	90 Days	Balance as at 6 July 2010	Debt Collection Status for Debts over 90 Days
82899	1,395.27	283,183.64	CEO in discussions with Debtor
132	585.55	604.66	Attempting to locate customer
86140	0.71	0.71	Interest charges – notified via statement at EOM
96274	0.06	0.06	Interest charges – notified via statement at EOM
86111	0.15	42.24	Interest charges – notified via statement at EOM
83026	116.14	118.60	First letter sent
82909	1.67	84.01	Interest charges – notified via statement at EOM
98107	63.00	189.65	Left message to call me back
98103	0.10	0.10	Interest charges – notified via statement at EOM
96455	55,000.00	110,000.00	Waiting for signed contract.
96383	31.52	138.33	Interest charges – notified via statement at EOM
7	1.43	1.87	Interest charges – notified via statement at EOM
146	6,448.73	6,485.66	Going to look into it and advise payment date
82980	0.40	7,172.34	Interest charges – notified via statement at EOM
98110	7.51	50.33	Interest charges – notified via statement at EOM
82571	4.88	6.43	Interest charges – notified via statement at EOM
86193	0.44	0.44	Interest charges – notified via statement at EOM
96479	4.05	13.50	Interest charges – notified via statement at EOM
3104	8.90	78.20	Interest charges – notified via statement at EOM
81452	0.61	0.99	Interest charges – notified via statement at EOM
82268	0.04	0.04	Interest charges – notified via statement at EOM
80737	201.64	207.14	Unable to locate – debt from 2008
81449	0.33	147.36	Interest charges – notified via statement at EOM
56	93.63	96.19	Unable to locate
96301	1.07	1.09	Interest charges – notified via statement at EOM
98587	186.37	198.78	Coming in to pay
80258	2,818.64	3,954.87	Left Message to call me back
80625	94.73	131.21	Left Message to call me back
82935	4.49	571.84	Interest charges – notified via statement at EOM
96489	0.57	1,365.21	Interest charges – notified via statement at EOM
81900	0.09	798.62	Interest charges – notified via statement at EOM
101	11.93	16.30	Interest charges – notified via statement at EOM
126	53.20	54.65	Attempting to locate customer
196	0.31	0.31	Interest charges – notified via statement at EOM
96304	42.01	63.44	Attempting to locate customer
96484	0.51	210.96	Interest charges – notified via statement at EOM
80165	18,505.55	19,630.55	Paying \$125.00 week as per agreement
98563	10,852.08	11,114.39	Refer Agenda Item Debts Under Legal Action.
82942	1.92	990.06	Interest charges – notified via statement at EOM
96351	157.50	249.66	Coming in to pay
81	0.23	0.23	Interest charges – notified via statement at EOM
80129	88.05	151,611.24	Interest charges – notified via statement at EOM
59	0.21	352.71	Interest charges – notified via statement at EOM
96352	1,679.17	3,910.83	Account with Management
98151	0.33	94.77	Interest charges – notified via statement at EOM

81448	34.01	337.41	Rang and left a message
81239	0.06	0.09	Interest charges – notified via statement at EOM
82551	5.98	767.13	Interest charges – notified via statement at EOM
86160	0.20	0.20	Interest charges – notified via statement at EOM
81455	400.00	800.00	Coming in to pay
	\$98,905.97	\$605,849.04	

5.2 Standing Item - Debts Currently in Legal Process

DATE:	6 July 2010
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Gill Old, Manager Financial Services
REPORTING OFFICER:	Jo-Anne Ellis, Director Corporate Services
FILE NO:	61.23.02 / 61.22.14

PURPOSE

To the Audit Committee with an update regarding debts currently in legal process.

BACKGROUND

At the Ordinary Council Meeting, 16 October 2007, Council moved the following resolution:

Minute No. 7936

That Council direct the CEO to provide a written report to Council under confidential cover each month in regard to all debts currently in legal process.

Carried Unanimously 5/0

At the Ordinary Council Meeting, 18 March 2008, Council moved the following:

Minute No: 8148

Moved: Cr J Parker

Seconded: Cr F Mills

That Council:

- 1. note the confidential report provided to it in relation to debts owed to Council and under legal action.*
- 2. direct the Executive Manager Corporate Services to provide a written report to the Audit Committee under confidential cover at each Audit Committee meeting in regard to all debts currently in legal process.*
- 3. request the Audit Committee to make recommendations to Council as required and appropriate in relation to the report provided under confidential cover regarding debts currently in legal process.*
- 4. resolve that this requirement replaces the previous requirement on the CEO to report information to Council.*

Carried Unanimously 8/0

This report is therefore presented.

STATUTORY IMPLICATIONS

This item in a Council Meeting needs to be discussed behind closed doors under Section 5.23. (2) (e) (iii) of the Local Government Act 1995 because the item may disclose information about the business, professional, commercial or financial affairs of a person and because the item also contained legal advice to the Council.

As the Audit Committee has no delegated powers it does not need to open to the public and therefore the provisions of Section 5.23 are not relevant.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Legal fees may be incurred to recover debts or revenue written off if debt recovery is considered not economically viable.

STRATEGIC IMPLICATIONS

The costs associated with legal fees to recover debt need to be weighed up against the debt to ensure and economically viable action is being taken.

COMMUNITY CONSULTATION

Community Consultation in not required in relation to this item.

COMMENT

The listing of Debtors currently in legal process is presented to the Audit Committee as per Council resolution.

ATTACHMENTS

Sundry Debtors under legal action as at 6 July 2010.
(Confidential Attachment provided under separate cover)
Rates Debtors under legal action as at 7 July 2010
(Confidential Attachment provided under separate cover)

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That the Audit Committee

1. notes the confidential report provided to it in relation to debts owed to Council and under legal action; and
2. reports to Council that the actions being undertaken by the administration in regard to debts under legal action are appropriate and sufficient and that no additional actions are recommended in relation to these debts at this time.

COMMITTEE RESOLUTION

Minute AC217

Moved: Cr D Ausburn

Seconded: Cr J Parker

That the Audit Committee

1. notes the confidential report provided to it in relation to debts owed to Council and under legal action; and
2. reports to Council that the actions being undertaken by the administration in regard to debts under legal action are appropriate and sufficient and that no additional actions are recommended in relation to these debts at this time.

Carried Unanimously: 3/0

6 Project Updates

This item is to provide information to the Audit Committee on

- ongoing projects not subject to officers reports
- items that do not require a Council decision

A confidential attachment has been provided under separate cover.

7 Requests for Officers Reports

This section is included in the agenda in place of General Business to improve the meeting process and to enable the Audit Committee to make informed decisions based on adequate research and an officer recommendation. Even though this item exists committee members can request officer reports at any time (giving suitable preparation time prior to the agenda deadline).

Nil

8 Closure of Meeting

With all the business of the meeting concluded the A4.54pm