

Town of Port Hedland Audit, Risk and Improvement Committee

Terms of Reference

1. Document control

Document title	Town of Port Hedland Audit, Risk and Improvement Committee Terms of Reference
Responsible body	Council
Adopted by Council	29 April 2026
Council decision number	CM202627/155
Review cycle	At least once every 2 years, and sooner if there is a relevant legislative amendment

2. Establishment and status

2.1 The Audit, Risk and Improvement Committee (the ARIC) is established by the Town of Port Hedland (the Town) under section 5.8 of the Local Government Act 1995 (the Act) and is the Town's audit, risk and improvement committee for the purposes of section 7.1A of that Act.

2.2 The ARIC is a committee of Council structured as a committee comprising council members and other persons (s.7.1B).

2.3 This Terms of Reference is to be read subject to the Act the Local Government (Audit) Regulations 1996, the Local Government (Administration) Regulations 1996, and any applicable local law. If there is any inconsistency, the legislation prevails.

2.4 The ARIC assists Council in fulfilling its obligations under Part 7 of the Act.

2.5 Management of the Town, including responsibility for internal controls, administration, implementation of Council decisions, risk ownership, compliance activity and operational matters, remains with the Chief Executive Officer and relevant officers.

3. Purpose

3.1 The purpose of the ARIC is to perform the functions conferred on it by regulation 16 of the Local Government (Audit) Regulations 1996 and any other functions determined by Council.

3.2 In carrying out that role, the ARIC provides a structured forum for receiving reports, scrutinising management responses, monitoring implementation of agreed actions and making recommendations to Council.

4. Functions

4.1 The ARIC has the functions conferred on it by regulation 16 of the Local Government (Audit) Regulations 1996, extracted below for convenience:

- (a) receive and review reports on, and recommend to Council actions to be taken in relation to:
 - (i) audits under Part 7 of the Act;
 - (ii) compliance audits; and
 - (iii) reviews under regulation 17 of the Local Government (Audit) Regulations 1996;
- (b) otherwise receive and review reports on the appropriateness and effectiveness of, and recommend to Council improvements to, the Town's systems and procedures in relation to:
 - (i) financial management;

- (ii) legislative compliance; and
 - (iii) risk management;
- (c) receive and review reports on, and recommend to Council improvements to, the implementation of any actions that the Town:
- (i) is required to take under section 7.12A(3) of the Act;
 - (ii) has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a) of the Act;
 - (iii) has otherwise decided to take in response to a report or recommendation referred to in paragraph (a) or (b); and
 - (iv) has stated it has done or proposes to do in written advice prepared under section 8.6(1)(a) or section 8.23(4)(a) of the Act; and
- (d) perform any other function conferred on the ARIC by the regulations or another written law.

4.2 In addition to its prescribed functions, the ARIC will consider any other governance, assurance or improvement matter referred to it by Council or the CEO including:

- (a) internal audit and other assurance activity reporting;
- (b) strategic and operational risk reporting
- (c) the Forward Improvement Plan (FIP), including progress against improvement initiatives;
- (d) financial management of the Town's asset management systems and processes; and
- (e) integrity and fraud control system and processes effectiveness.

5. Authority and limitations

5.1 The ARIC may consider any matter within its functions that is:

- (a) referred to it by Council;
- (b) referred to it by the CEO; or
- (c) required by legislation to be given to or considered by it.

5.2 For the purpose of carrying out its functions, the ARIC may, through the CEO:

- (a) request reports or further information from relevant officers;
- (b) request attendance of relevant officers, the auditor, or other persons for particular agenda items; and
- (c) request progress reports on implementation of actions relevant to its statutory functions.

5.3 Council may delegate powers and duties to the ARIC only within the limits of section 7.1C of the Act.

6. Composition

6.1 The ARIC is to comprise the following standing members:

- (a) 1 Independent Presiding Member;
- (b) 1 Independent Deputy Presiding Member; and
- (c) 3 Elected Members

7. Deputy Committee Members

7.1 Council must appoint an independent person under section 5.11A of the Act to be the Deputy of the Presiding Member. The Deputy of the Presiding Member is a deputy committee member and will only deputise at meetings in the absence of the substantive Presiding Member.

7.2 Council may appoint under s5.11A of the Act a deputy for any council member appointed as a member of the ARIC. A deputy of a council member must be a council member. A deputy committee member only deputises at meetings in the absence of the substantive committee member.

8. Presiding Member order of precedence

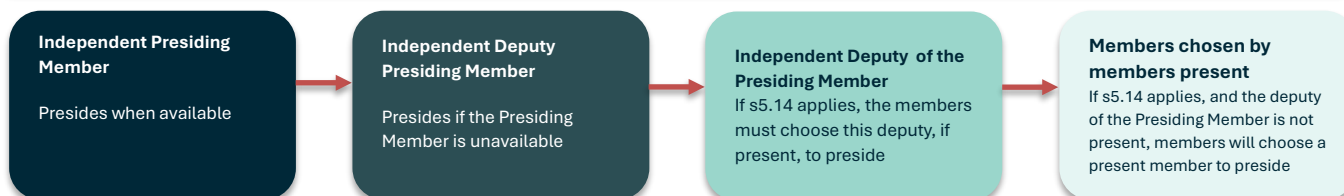
8.1 If the Presiding Member is absent from a meeting or is unwilling or unable to preside at the meeting, the Deputy Presiding Member will preside at that meeting.

8.2 If both the Presiding Member and the Deputy Presiding Member are absent from or unable or unwilling to preside at a meeting and the Deputy of the Presiding Member is in attendance, the Deputy of the Presiding Member will preside at that meeting.

8.3 If section 5.14 of the Act applies to a meeting of the ARIC where:

- the Presiding Member and Deputy Presiding Member are absent, the members present must choose the deputy of the Presiding Member, if present, to preside at the meeting.
- the Presiding Member, Deputy Presiding Member and Deputy of the Presiding Member are absent, the members present must choose one of themselves to preside at the meeting.

Presiding order



9. Tenure, cessation and vacancies

9.1 Subject to the Act, a member appointed to the ARIC holds office until whichever first occurs:

- (a) the term of appointment expires;
- (b) Council removes the member from office or the office otherwise becomes vacant;
- (c) the ARIC is disbanded; or
- (d) the next ordinary elections day, if the member is an elected member

9.2 Council may terminate the appointment of a deputy at any time by absolute majority.

9.3 If a vacancy arises in the membership of the ARIC or in any deputy position, Council is to fill the vacancy as soon as practicable.

10. Meetings

10.1 The ARIC is to hold ordinary meetings at the dates, times and places determined by Council.

10.2 The ARIC is to meet as often as required to carry out its functions and, unless Council otherwise determines, will ordinarily meet at least 4 times in each calendar year.

10.3 Special meetings of the ARIC may be convened in accordance with the Act, regulations and any applicable local law or lawful procedure.

10.4 The quorum for a meeting of the ARIC is at least 50% of the number of offices of member of the ARIC, whether vacant or not, subject to the Act.

10.5 On the ARIC's adopted five-member standing structure, the ordinary quorum is 3 members.

10.6 A deputy counts for quorum only when lawfully acting in the place of a substantive member.

10.7 Subject to the Act, each member present at a meeting is entitled to one vote.

10.8 If votes are equally divided, the person presiding is to cast a second vote.

10.9 Voting is to be conducted and recorded in accordance with the Act and regulations.

10.10 Members may attend a meeting by electronic means if authorised in accordance with the Local Government (Administration) Regulations 1996.

10.11 A meeting may be held by electronic means only in accordance with the Local Government (Administration) Regulations 1996.

10.12 Where a member attends electronically and part of the meeting is to be closed to members of the public, the member must comply with the confidentiality declaration requirements that apply under the regulations.

10.13 Minutes are to be submitted to the next ordinary meeting of the ARIC for confirmation.

10.14 The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify the confirmation.

10.15 The conduct of meetings is otherwise to be in accordance with the Act, the regulations and any applicable local law.

11. Public access, agenda papers and minutes

11.1 Meetings of the ARIC are open to members of the public unless, and only excluded to the extent that the meeting is lawfully closed under section 5.23 of the Act.

11.2 If the ARIC has been delegated a power or duty by Council, time is to be allocated for questions to be raised by members of the public and responded to at meetings of the ARIC in accordance with the Local Government (Administration) Regulations 1996.

11.3 The CEO is to publish on the Town's official website the meeting details for ARIC meetings in accordance with the Local Government (Administration) Regulations 1996.

11.4 The CEO is to publish the unconfirmed minutes of each ARIC meeting on the Town's official website within the time required by law.

11.5 The Town is to make available for public inspection, and publish on its official website, the agenda, reports and other documents for ARIC meetings in accordance with the Local Government (Administration) Regulations 1996, subject to any lawful exception for confidential material.

12. Reporting and workflow

12.1 The ARIC reports to Council and is to make clear recommendations on matters within its functions.

12.2 The CEO is to ensure that reports required by law to be given to the ARIC are given to the ARIC in a timely manner.

12.3 The CEO is to ensure that the results of each review carried out under regulation 17 are reported to the ARIC.

12.4 Management is to provide the ARIC with periodic reports on the implementation of actions relevant to the ARIC's functions.

12.5 Management will provide the ARIC a forward workplan each year.

13. Conduct, interests and confidentiality

13.1 Members and acting deputies must comply with all applicable provisions of the Act relating to:

- (a) disclosure of interests;
- (b) participation in decision-making;
- (c) gifts, if applicable; and
- (d) conduct at meetings.

13.2 Members and acting deputies must comply with any applicable code of conduct, policy or lawful direction of the Town relevant to ARIC membership and meeting conduct.

13.3 Information obtained by a member through the ARIC is to be used only for proper ARIC purposes and handled in accordance with any confidentiality obligation arising under the Act, another written law, legal professional privilege, lawful Council decision or other applicable legal requirement.

13.4 A member who is unable to attend a meeting is to notify the CEO and relevant officer(s) as soon as practicable so that any relevant deputy may be contacted if appropriate.

14. Administrative support

14.1 The CEO is responsible for ensuring that the ARIC is provided with appropriate administrative support.

14.2 Administrative support is to include:

- (a) meeting scheduling;
- (b) agenda preparation and circulation;
- (c) records management;
- (d) minutes;
- (e) action tracking;
- (f) publication of meeting details, agenda papers and minutes as required by law; and
- (g) coordination of reports to and from Council.

14.3 The ARIC may request the attendance of relevant officers, the external auditor or other advisers for particular items where that will assist the ARIC in carrying out its functions.

15. Review

15.1 This Terms of Reference is to be reviewed:

- (a) at least once every 2 years;
- (b) whenever there is a relevant legislative amendment;
- (c) whenever Council changes the ARIC's structure, membership or delegated authority; or

(d) whenever Council otherwise considers review appropriate.

15.2 Any amendment to this Terms of Reference must be made by Council.