



MINUTES

OF CITY AUDIT COMMITTEE HELD IN THE COMMITTEE ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY,
22 MARCH 2011 AT 5:20PM

PRESENT: Cr W Mauger Chair
Cr R Butterfield
Cr J H Munn JP CMC
Cr L Reynolds AM JP

APOLOGIES: Cr M H Norman – Apology

OBSERVERS: Nil

IN ATTENDANCE: Mr R S Tame Chief Executive Officer
Mr A F Maxwell Executive Director Corporate Services
Mr N Cain Executive Manager Business Services

PUBLIC: Nil

DECLARATION OF MEMBERS' INTERESTS

Nil

DEPUTATION

Nil

PUBLIC QUESTION TIME

Note:

Meetings of the City Audit Committee are closed to the public on the basis that matters to be dealt with by Committee will generally be of a sensitive and confidential nature which, if disclosed, could reasonably be expected to impair the effectiveness of the audit process – Council resolution CS18/2001 refers.

CONFIRMATION OF MINUTES

RECOMMEND

**Minutes of the City Audit Committee Meeting held on 2 November 2010,
be confirmed.**

Moved Cr Butterfield
Motion Carried (4-0)

COMPLIANCE AUDIT RETURN – 1 JANUARY 2010 TO 31 DECEMBER 2010

WARD ALL
FILE REF FIN/6
DATE 3rd March 2011
REF NP
RESPONSIBLE MANAGER EDCorpS

In Brief:

Council is requested to consider and adopt the 2010 Annual Compliance Audit Return for the period 1 January 2010 to 31 December 2010 as presented, noting that there were (5) instances of non-compliance.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

Outcome and Strategy - **4.1 – Good governance and leadership**

- 4.1.2 Ensure governance policies, procedures and activities align with legislative requirements and best practice
- 4.1.4 Support an Audit Committee to assist accountability and good governance

Legislation Implications

Local Government Act 1995 – Section 7.13(i)

Local Government (Audit) Regulations 1996 – Regulations 13, 14, 15

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Nil

Consultation

- Management Executive Group (MANEX)
- Delegated Senior officers

BACKGROUND

The *Local Government (Audit) Regulations 1996* requires each local government to carry out a compliance audit for the period 1 January to 31 December each year and to complete a Compliance Audit Return (CAR) as produced by the Department of Local Government and Regional Development (DLGRD).

The CAR is to be:

- (a) presented to Council at a meeting of the Council;
- (b) adopted by the Council; and
- (c) recorded in the minutes of the meeting at which it is adopted.

After the CAR has been presented to and adopted by Council, a certified copy of the Return signed by the Mayor and CEO, along with the relevant section of the minutes and any additional information explaining or qualifying the compliance audit, is to be submitted to the Director General of the Department of Local Government by 31 March 2010.

The 2010 Local Government Compliance Audit Return is the eleventh such Return that has been required by statute.

Last year's Return (2009) reported (4) relatively minor instances of non-compliance, the details of which in brief, were as follows:

- 1. Local Government Employees – Question 10 – Section 5.38 - Was the performance of each employee, employed for a term of more than one year, (including the CEO and each senior employee), reviewed within the most recently completed 12 months of their term of employment.**

Response: As ordinarily occurs due to staff leave, there were but a few annual performance reviews not completed within the Return period.

Remedial Action – No specific action either taken or proposed.

- 2. Local Government Employees – Question 13 – Section 5.39(1) - During the period covered by this Return, were written performance based contracts in place for the CEO and all designated senior employees who were employed since 1 July 1996.**

Response: In one instance a contract renewal as approved by Council was in the process of negotiation but secured through letters of agreement to cover the intervening period.

Remedial Action – No specific action either taken or proposed.

- 3. Local Laws Question 13 – Section 3.16(1) - Have all reviews of local laws under section 3.16(1) of the Act been carried out within a period of 8 years.**

Response:

(i) Fencing local law - administration error on date of review.

(ii) Street Numbering local law - DLG records indicated local law had been repealed when in fact it had not. Both local laws are now currently under review.

Remedial Action – No specific action either taken or proposed.

- 4. Tenders for Providing Goods and Services – Question 1 – Regulation 11(1) (Functions & General) - Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services)**

where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).

Response: There were (3) reported instances where the \$100k tender threshold was inadvertently exceeded but in each instance, quotations were sought and approved and purchase orders duly raised and authorised in accordance with the City's Procurement Policy and Management Practice No. ADM 19 which relevantly states:

2.5 \$50,000 to \$99,999

Unless otherwise approved by the relevant Executive Director, for the procurement of goods or services where the value of the contract ranges from \$50,000 to \$99,999, it is required to obtain at least three written quotations containing price and a sufficient amount of information relating to the specification of goods and services being purchased or proceed with a public tender at the discretion of the relevant Executive Director.

Record keeping requirements must be maintained in accordance with record keeping policies.

For this procurement range, the selection should not be based on price alone. It is strongly recommended to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.

Further, it is to be noted that a tender has subsequently been called and awarded for one of the three instances.

Remedial Action – No specific action either taken or proposed.

COMMENT

The CAR is one of the tools available to assist Council in its monitoring role, enabling the Council to monitor its level of compliance with the legislative requirements of the *Local Government Act 1995*. The CAR also forms part of the Department of Local Government and Regional Development's (DLGRD) monitoring program.

The 2010 Return once again places emphasis on the need for Council to be aware and acknowledge instances of non-compliance or where full compliance was not achieved. In addition, the Return also requires Council to endorse details of remedial action either taken or proposed, to prevent future like occurrences.

It should be noted that the return is somewhat shorter than previous years as the Department for Local Government considered that those matters that are dealt with by the local government's auditors need not be addressed in this return. The majority of these questions relate to the financial activities of the local government.

The 2010 CAR has been compiled and is presented at **Attachment “A-1” - Summary of Attachments**, for consideration/comment by Committee, prior to it being submitted to Council.

The 2010 Return identifies (5) instances of non-compliance, the details of which together with remedial actions as appropriate are presented hereunder:

1. Disclosure of Interest - Question 5 - Was a primary return lodged by all newly designated employees within three months of their start day?

Response:

One instance occurred when an Officer was appointed to another position with delegated authority. The Primary Return matter was overlooked at the time of the appointment, but was later picked up during regular reviews of delegations. No delegated authority was exercised during the period the City did not having a Primary Return lodged by the Officer.

Remedial Action – No specific action either taken or proposed.

2. Disclosure of Interest – Question 6 - Was an annual return lodged by all continuing elected members by 31 August 2010?

Response:

One instance occurred where an Elected Member was on approved leave of absence. The Annual Return was submitted immediately upon the Member returning from leave.

Remedial Action – No specific action either taken or proposed.

3. Local Government Employees – Question 13 - During the period covered by this Return, were written performance based contracts in place for the CEO and all designated senior employees who were employed since 1 July 1996.

Response:

One contract for a designated senior employee was in the process of negotiation for renewal during the period in question.

Remedial Action – No specific action either taken or proposed.

4. Local Laws – Question 6 - Have all reviews of local laws under section 3.16(1) of the Act been carried out within a period of 8 years.

Response:

The review of the City’s Fencing Local Law was commenced, but not finalised, within the appropriate period of time.

Remedial Action – No specific action either taken or proposed.

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5. **Tenders for Providing Goods and Services – Question 1 - Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).**

Response:

On a small number of occasions the City did not meet the requirements to call tenders where goods and / or services would reasonably exceed the accepted consideration as legislated (\$100,000). These instances include –

Security services - The company used to maintain the City's security system, monitor the City's security system, install new security systems at Council facilities and provide security for meetings after-hours has been identified as being a multiple-branch company with a single parent company (i.e. the City initially understood these companies to be separate entities when in fact they are not). The City considers this to be an issue for meeting obligations under the Tender Regulations. It can be reasonably expected that the City will continue to require these services in the future.

Remedial Action - Tenders are to be called covering the variety of security services the City uses.

Painting services - The City has recently increased the expenditure allocation for maintenance of Council facilities. In doing so, a larger quantum of painting services has been required than has occurred in previous financial years. On each occasion, before commencement of works, quotations as per the City's Procurement Management Practice have been sought. As a result, one particular painting contractor has been more successful than others to the point that the total \$ spend to this one contractor has exceeded the Tender threshold limit – albeit over different jobs. It can be reasonably expected that the City will continue to require these services in the future.

Remedial Action - Tenders are to be called for the provision of painting services.

Carpentry services - The City has recently increased the expenditure allocation for maintenance of Council facilities. In doing so, a larger quantum of carpentry and general maintenance services has been required than has occurred in previous financial years. As was the case with the painting services contractor, mentioned above, the total \$ spend to one contractor has exceeded the Tender threshold limit – albeit over different jobs. It can be reasonably expected that the City will continue to require these services in the future.

Remedial Action - Tenders are to be called for the provision of carpentry services.

Glass repair and supply - The City has recently resumed care-and-control over a number of facilities that were previously leased to community groups to maintain. This, coupled with an increase in anti-social behaviour, has meant that the City has had an unanticipated increase in the need to repair glass windows and fixtures. Consequently, payments to the company used by the City for the repair and supply of glass exceeded the permitted Tender threshold limit of \$100,000. It can be reasonably expected that the City will continue to require these services in the future.

Remedial Action - Tenders are to be called for the provision of glass repair and supply.

Office furniture supply - The City has used a company, for office furniture and fixtures, for purposes not in full compliance with the State Government Preferred Supplier status that it holds. The company supplies a variety of office furniture and fixtures for which it only holds a Preferred Supplier status in one area, and not in the many areas that have been used by the City. It can be reasonably expected that the City will continue to require these services in the future.

Remedial Action – The appropriate Preferred Supplier is now being used. A brief education session has also been held with the relevant officers to provide a greater understanding of the State Government Preferred Supplier arrangements.

Notwithstanding the above remedial actions taken, Officers have also undertaken to implement additional reports that act as a warning mechanism to assist in preventing future occurrences of Tender threshold breaches.

Councillors have the opportunity to comment on the contents of the Return either via the March 22nd City Audit Committee meeting or the March 28th Council Meeting, at which the 2010 CAR will be presented for adoption purposes.

The 2010 CAR, once adopted, will be certified/signed by the Mayor and CEO and forwarded to the Department of Local Government by the Return due date of 31st March 2011.

CA1/03/11 RECOMMEND

That Council:

- a. adopts the Local Government Compliance Audit Return for the Year 2010, as presented at Attachment “A-1” to this Agenda; and**
- b. acknowledges the joint certification, which is to be signed by the Mayor and Chief Executive Officer.**

**Moved Cr Munn
Motion Carried (4/0)**

TENDER NO. TEN/27/10 PROVISION OF AUDIT SERVICES

WARD All
FILE REF: TEN/27/10
DATE 16 March 2010
REF TM/NC
RESPONSIBLE MANAGER Executive Director
Corporate Services

In Brief:

- Tender 27/10 was recently called for the Provision of Audit Services.
- Four Tenders were received by the specified closing time.
- Recommendation that Council, with regard to Tender TEN/27/10 for the Provision of Audit Services for a contract period approximating five (5) years (ending 31 December 2015), accept the tender from Mr A Macri (Macri Partners Certified Practising Accountants).

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

4.1 Good governance and leadership, in particular, 4.1.4 Support an Audit Committee to assist accountability and good governance.

Legislation Implications

Local Government Act 1995 (as amended) - Section 3.57 (Tenders for providing goods or services) – Tenders for providing goods or services states that a local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services. This tender is a five (5) year contract which was reasonably assumed to be meet the criteria for a ‘prescribed kind’.

*Local Government Act 1995 (as amended) – Section 7.3 (Appointment of Auditors) – A local government is to, from time to time whenever such an appointment is necessary or expedient, appoint * a person, on the recommendation of the audit committee, to be its auditor.*

* Absolute majority required.

Council Policy/Local Law Implications

Council Policy ADM 19 – Procurement of Goods or Services

Budget/Financial Implications

The provision of Audit services is included within the City’s 2001-2011 Annual Budget as well as also being included in the City’s Plan for the Future estimates.

The pricing submitted by the recommended tenderer is accommodated within the abovementioned Budget and Plan for the Future estimates.

Consultation

Nil

BACKGROUND

Council is required, as per the *Local Government Act 1995*, to appoint an approved auditor (Section 7.3 – Appointment of auditors) upon recommendation from the Audit Committee.

The City's audit contract expired in late 2010 (following the final sign-off of the 2009 – 2010 Annual Financial Statement) and hence the need to call a public tender.

Tender number 27/10, being for Provision of Audit Services, was advertised in the 4 December 2010 edition of the 'West Australian' newspaper and in a notice which was displayed on the Administration Centre, Armadale, Kelmscott and Seville Grove Libraries public notice boards.

The Tender documentation invited suitable applicants to submit a tender based on a number of key requirements, with those being (in summary form) –

- The contract period being for a period of 5 years
- A detailed scoping and specification of the services required
- Several special conditions of contract, and
- Agreed compliance and selection criteria by which to evaluate and select the successful tender.

DETAILS OF PROPOSAL

At the close of tenders (2pm Wednesday 22 December 2010 (AWST)), four conforming tenders had been received, they being as follows –

- Mr D J Tomasi and Mr G Godwin – UHY Haines Norton Chartered Accountants
- Mr A Macri – Macri Partners Certified Practising Accountants
- Mr P Warr, Mr M Hillgrove and Mr J Vibert – Grant Thornton Australia Limited
- Mr S McGurk – WHK Horwath Perth Audit Partnership

COMMENTAnalysis

Each tender met the prescribed compliance criteria and were then evaluated in accordance with the following qualitative criteria -

- a) Relevant experience – Experience in completing / supplying similar requirements.
- b) Key personnel skills and experience – Details of proposed personnel to be allocated to this project / service.
- c) Tenderer's resources – The ability to supply and sustain the project / service via support systems and contingency measures.
- d) Demonstrated understanding – The processes intended to be used to achieve the requirements of the specification.

Each of the criteria above carried a weighting of 25%.

The ranking of the compliant tender submissions, as determined by the evaluation panel, is as follows –

| <i>Auditor</i> | <i>Qualitative Ranking</i> | <i>Price Ranking</i> | <i>Overall Ranking</i> |
|--|----------------------------|----------------------|------------------------|
| Mr D J Tomasi and Mr G Godwin – UHY Haines Norton Chartered Accountants | 2 | 4 | 3 |
| Mr A Macri – Macri Partners Certified Practising Accountants | 1 | 1 | 1 |
| Mr P Warr, Mr M Hillgrove and Mr J Vibert – Grant Thornton Australia Limited | 3 | 2 | 2 |
| Mr S McGurk – WHK Horwath Perth Audit Partnership | 4 | 3 | 4 |

Brief comments on the above rankings

Mr A Macri (Macri Partners Certified Practising Accountants) clearly demonstrated a thorough understanding of the tender requirements, has 15 other metropolitan Councils as clients, and was the lowest priced tender received.

Conclusion

Therefore, on the basis of the aforementioned tender evaluation rankings, it is recommended that the tender from Mr A Macri (Macri Partners Certified Practising Accountants) be accepted and that a contract term approximating 5 years (ending 31 December 2015) be implemented.

CA2/03/11 RECOMMEND

That Council:

- 1) Pursuant to Section 3.57 of the Local Government Act 1995 (as amended) and in respect to tender number 27/10 – Provision of Audit Services, accept the tender received from Mr A Macri (Macri Partners Certified Practising Accountants) for a period approximating five (5) years (ending 31 December 2015), in accordance with the submitted tender and the City's contract documentation.**
- 2) Pursuant to Section 7.3 of the Local Government Act 1995 (as amended), appoint Mr A Macri (Macri Partners Certified Practising Accountants) as the City of Armadale Auditor for the period 30 March 2011 to 31 December 2015.**

Absolute Majority Required for Part 2.

**Moved Cr Reynolds
Motion Carried (4-0)**

MEETING DECLARED CLOSED AT 5.35 PM

CITY AUDIT COMMITTEE

SUMMARY OF “A” ATTACHMENTS

22 March 2011

| Attachment No. | Subject | Page |
|---------------------------|--|-------------|
| A-1 | ARMADALE – COMPLIANCE AUDIT RETURN 2010 | 14 |

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

Armadale - Compliance Audit Return 2010

| Caravan Parks and Camping Grounds | | | | | |
|---|---|---|----------|----------|------------|
| No | Reference | Question | Response | Comments | Respondent |
| 1 | s21(1) Caravan Parks and Camping Grounds Act 1995 | Did the local government inspect each caravan park or camping ground in its district within the period 1 July 2009 to 30 June 2010. | Yes | | |
| 2 | s14(1) of the Caravans and Camping Grounds Act 1995 | Did you keep a register of caravan park licences. (For the return period) | Yes | | |
| Cemeteries | | | | | |
| No | Reference | Question | Response | Comments | Respondent |
| 1 | s40(1)(a), (b) Cemeteries Act 1986 | Has a register been maintained which contains details of all burials in the cemetery, including details of the names and descriptions of the deceased persons and location of the burial. (For the return period) | N/A | | |
| 2 | s40(1)(a), (b) Cemeteries Act 1986 | Has a register been maintained which contains details of all grants of right of burial in the cemetery, including details of assignments or bequests of grants. (For the return period) | N/A | | |
| 3 | s40(2) Cemeteries Act 1986 | Have plans been kept and maintained showing the location of all burials registered in as above. | N/A | | |
| Commercial Enterprises by Local Governments | | | | | |
| No | Reference | Question | Response | Comments | Respondent |
| 1 | s3.59(2)(a)(b)(c) F&G Reg 7,9 | Has the local government prepared a business plan for each major trading undertaking in 2010. | N/A | | |
| 2 | s3.59(2)(a)(b)(c) F&G Reg 7,10 | Has the local government prepared a business plan for each major land transaction that was not exempt in 2010. | Yes | | |
| 3 | s3.59(2)(a)(b)(c) F&G Reg 7,11 | Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2010. | Yes | | |
| 4 | s3.59(4) | Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2010. | Yes | | |

Department of Local Government - Compliance Audit: Return



Government of Western Australia
Department of Local Government

| No | Reference | Question | Response | Comments | Respondent |
|-----------------------------------|--------------------------------|--|----------|----------|------------|
| 5 | s3.59(5) | Did the Council, during 2010, resolve to proceed with each major land transaction or trading undertaking by absolute majority. | Yes | | |
| Delegation of Power / Duty | | | | | |
| 1 | s5.16, 5.17, 5.18 | Were all delegations to committees resolved by absolute majority. | Yes | | |
| 2 | s5.16, 5.17, 5.18 | Were all delegations to committees in writing. | Yes | | |
| 3 | s5.16, 5.17, 5.18 | Were all delegations to committees within the limits specified in section 5.17. | Yes | | |
| 4 | s5.16, 5.17, 5.18 | Were all delegations to committees recorded in a register of delegations. | Yes | | |
| 5 | s5.18 | Has Council reviewed delegations to its committees in the 2009/2010 financial year. | Yes | | |
| 6 | s5.42(1),5.43 Admin Reg 18G | Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act. | Yes | | |
| 7 | s5.42(1)(2) Admin Reg 18G | Were all delegations to the CEO resolved by an absolute majority. | Yes | | |
| 8 | s5.42(1)(2) Admin Reg 18G | Were all delegations to the CEO in writing. | Yes | | |
| 9 | s5.44(2) | Were all delegations by the CEO to any employee in writing. | Yes | | |
| 10 | s5.45(1)(b) | Were all decisions by the Council to amend or revoke a delegation made by absolute majority. | Yes | | |
| 11 | s5.46(1) | Has the CEO kept a register of all delegations made under the Act to him and to other employees. | Yes | | |
| 12 | s5.46(2) | Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2009/2010 financial year. | Yes | | |
| 13 | s5.46(3) Admin Reg 19 | Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required. | Yes | | |

Department of Local Government - Compliance Audit: Return



| Disclosure of Interest | | | | | |
|------------------------|------------------------------|---|----------|--|------------|
| No | Reference | Question | Response | Comments | Respondent |
| 1 | s5.67 | If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68). | Yes | | |
| 2 | s5.68(2) | Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings. | Yes | | |
| 3 | s5.73 | Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made. | Yes | | |
| 4 | s5.75(1) Admin Reg 22 Form 2 | Was a primary return lodged by all newly elected members within three months of their start day. | Yes | | |
| 5 | s5.75(1) Admin Reg 22 Form 2 | Was a primary return lodged by all newly designated employees within three months of their start day. | No | One instance occurred when an Officer was appointed to another position with delegated authority. The Primary Return matter was overlooked at the time of the appointment, but was later picked up during regular reviews of delegations. No delegated authority was exercised during the period the City did not having a Primary Return lodged by the Officer. | |
| 6 | s5.76(1) Admin Reg 23 Form 3 | Was an annual return lodged by all continuing elected members by 31 August 2010. | No | One instance occurred where an Elected Member was on approved leave of absence. The Annual Return was submitted immediately upon the Member returning from leave. | |
| 7 | s5.76(1) Admin Reg 23 Form 3 | Was an annual return lodged by all designated employees by 31 August 2010. | Yes | | |
| 8 | s5.77 | On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return. | Yes | | |
| 9 | s5.88(1)(2) Admin Reg 28 | Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76 | Yes | | |
| 10 | s5.88(1)(2) Admin Reg 28 | Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28. | Yes | | |
| 11 | s5.88 (3) | Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76. | Yes | | |

Department of Local Government - Compliance Audit: Return



**Government of Western Australia
Department of Local Government**

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| 12 | s5.88(4) | Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee. | Yes |
| 13 | s5.103 Admin Reg 34C & Rules of Conduct Reg 1.1 | Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes. | Yes |
| 14 | s5.66(b) | Did the person presiding at a meeting, on all occasions, when given a member's written financial interest disclosure by the CEO, bring its contents to the attention of persons present immediately before any matters to which the disclosure relates were discussed. | Yes |
| 15 | s5.71(a) | Did the CEO disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she had an interest in the matter to which the delegated power or duty related. | Yes |
| 16 | 5.71(b) | Did an employee disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she had an interest in the matter to which the delegated power or duty related. | Yes |
| 17 | s5.70(2) | Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report. | Yes |
| 18 | s5.70(3) | Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee. | Yes |
| 19 | s5.66(a) | Did the CEO, on all occasions, where a council member gave written notice of a disclosure of interest before a meeting, cause that notice to be given to the person who presided at the meeting. | Yes |
| 20 | s5.71 | On all occasions were delegated powers and duties not exercised by employees that had an interest in the matter to which the delegated power or duty related. | Yes |

Disposal of Property

| No | Reference | Question | Response | Comments | Respondent |
|----|-----------|--|----------|----------|------------|
| 1 | s3.58(3) | Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)). | Yes | | |

Department of Local Government - Compliance Audit: Return



Government of Western Australia
Department of Local Government

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| 2 | s3.58(4) | Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property. | Yes | |
| Elections | | | | |
| No | Reference | Question | Response | Comments |
| 1 | s4.17(3) | Was approval sought from the Electoral Commissioner where council allowed a vacancy to remain unfilled as a result of a councillor's position becoming vacant under s2.32 and in accordance with s4.17(3)(a) & (b). | N/A | |
| 2 | s4.20(2) | Did the local government appoint a person other than the CEO to be the returning officer of the local government for an election or all other elections held while that appointment applied, after having written agreement of the person concerned and the Electoral Commissioner. | N/A | |
| 3 | s4.20(4) | Did the local government declare the electoral commissioner to be responsible for the conduct of an election, after having first obtained the written agreement of the Electoral Commissioner. | Yes | |
| 4 | s4.20(5) | Where a declaration has not already been made, was a declaration made under s4.20(4) prior to the 80th day before election day. | N/A | |
| 5 | s4.32(4) | Did the CEO, within 14 days after receiving a claim for enrolment, decide whether the claimant was eligible or not eligible under s4.30(1)(a)&(b) and accept or reject the claim accordingly. | Yes | |
| 6 | s4.32(6) Elect Reg 13 | Did the CEO record on all occasions the decision in the owners and occupiers register in accordance with Regulation 13 of the Local Government (Elections) Regulations 1997 and give written notice of the decision to the claimant without delay, for eligibility to enrol. | Yes | |
| 7 | s4.35(2) | Did the CEO give written notice to the person before making a decision under subsection (1)(c) and allow 28 days for the person to make submissions on the matter. | Yes | |
| 8 | s4.35(3) | Did the CEO, after making a decision under subsection (1)(c), give written notice of it to the person. | Yes | |
| 9 | s4.35(5) | Did the CEO, on receipt of advice of the Electoral Commissioner's decision on an appeal, take any action necessary to give effect to that decision. | N/A | |
| 10 | s4.35(6) | Did the CEO give written notice on all occasions to the person, where after considering submissions made under subsection 2, the CEO decided that the person was still eligible under s4.30 to be enrolled to vote at elections for the district or ward. | Yes | |

Department of Local Government - Compliance Audit: Return



**Government of Western Australia
Department of Local Government**

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| 11 | s4.35(7) | Did the CEO, on all occasions, record any decision under subsection (1) or (6) in the register referred to in section 4.32(6). | Yes |
| 12 | s4.39(2) | Did the CEO on or after the 70th day, but no later than the 56th day give statewide public notice of the time and date of the close of enrolments. | N/A |
| 13 | s4.41(1) | Did the CEO prepare an owners and occupiers roll for the election on or before the 36th day before election day. | N/A |
| 14 | s4.41(2) | Did the CEO certify that the owners and occupiers roll included the names of all persons who were electors of the district or ward under s4.30 at the close of enrolments. | N/A |
| 15 | s4.43(1) | Where the CEO was returning officer (RO) and the rolls were not consolidated, did the RO delete the names of any person from the owners and occupiers roll whose name also appeared on the residents roll, on or before the 22nd day before election day. | N/A |
| 16 | s4.47(1) | Where the CEO was returning officer (RO), did the RO give statewide public notice calling for nominations of candidates for the election on or after the 56th day but no later than the 45th day before election day. | N/A |
| 17 | s4.47(2)(a) | Did the notice referred to in s4.47(1) calling for nominations specify the kind of election to be held and the vacancy or vacancies to be filled. | N/A |
| 18 | s4.47(2)(b) | Did the notice referred to in s4.47(1) calling for nominations specify the place where nominations may be delivered or sent. | N/A |
| 19 | s4.47(2)(c) | Did the notice referred to in s4.47(1) calling for nominations specify the period within which nominations have to be delivered or sent. | N/A |
| 20 | s4.47(2)(d) | Did the notice referred to in s4.47(1) calling for nominations specify any other arrangements made for the receipt by the returning officer of nominations. | N/A |
| 21 | s4.61(2) | Did the Council of the local government, where it decided to conduct the election as a postal election, make that decision by absolute majority. | N/A |
| 22 | s4.61(3) | Where a decision was made under s4.61(2) and a relevant declaration had not already been made, was that decision made prior to the 80th day before election day. | N/A |
| 23 | s4.64 | Where the CEO was returning officer (RO), did the RO give Statewide public notice (election notice) as soon as practicable after preparations for the election, but no later than on the 19th day before election day, in accordance with regulations that included details of how, when and where the election will be conducted and the names of the candidates. | N/A |

Department of Local Government - Compliance Audit: Return



**Government of Western Australia
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| 24 | Elect Reg 7 | Did a person, before acting as an electoral officer, make the required declaration as stated in local government election regulation 7. | N/A |
| 25 | Elect Reg 8(2) | Where the CEO was returning officer (RO), did the RO prepare and adopt a Code of Conduct for the 2010 Extraordinary Elections. | N/A |
| 26 | Elect Reg 8(3) | Where the CEO was returning officer (RO), did the RO provide each electoral officer a copy or access to a copy of the electoral code of conduct for the 2010 Extraordinary Elections. | N/A |
| 27 | Elect Reg 13(1) | Has the relevant information as listed in Election Reg 13 been recorded in the owners and occupiers register. | Yes |
| 28 | Elect Reg 13(4) | Did the CEO amend the register from time to time to make sure that the information recorded in it is accurate. | Yes |
| 29 | Elect Reg 17 | Did the local government keep an enrolment eligibility claim form, if accepted, a copy of a notice of acceptance for 2 years after the claim and notice expired, and a copy of a notice of rejection for 2 years after the claim was rejected. | Yes |
| 30 | Elect Reg 26(4) | Did the CEO or an employee of the local government appointed as Returning Officer keep the deposit referred to in s4.49(d) separate from other money and credited to a fund of the local government. | N/A |
| 31 | Elect Reg 30G (1) | Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the candidates. | N/A |
| 32 | Elect Reg 30G(3) | Did the CEO remove any "disclosure of gifts" forms completed by unsuccessful candidates from the electoral gift register in accordance with the period under regulation 30C and retain those forms separately for a period of at least 2 years. | N/A |
| 33 | Elect Reg 30H | Has the electoral gift register been kept at the appropriate local government offices. | N/A |
| 34 | Elect Reg 40 | Has a postal voters register been kept of electors whose applications are under regulation 37(1)(b) and are accepted under regulation 38(1), which contains the enrolment details of each elector included on it and any ward in respect of which the elector is registered. | N/A |
| 35 | Elect Reg 81 | Was the report relating to an election under s4.79 provided to the Minister within 14 days after the declaration of the result of the election. | N/A |

Department of Local Government - Compliance Audit: Return



| Executive Functions | | | | | |
|---------------------|-------------|--|----------|----------|------------|
| No | Reference | Question | Response | Comments | Respondent |
| 1 | s3.18(3)(a) | Has the local government satisfied itself that the services and facilities that it provides ensure integration and co-ordination of services and facilities between governments. | Yes | | |
| 2 | s3.32(1) | Was a notice of intended entry given to the owner or occupier of the land, premises or thing that had been entered. | N/A | | |
| 3 | s3.50 | Did the local government close a thoroughfare wholly or partially for a period not exceeding 4 weeks under the guidelines of 3.50. | Yes | | |
| 4 | s3.18(3)(b) | Has the local government satisfied itself that the services and facilities that it provides avoid unnecessary duplication of services or competition particularly with the private sector. | Yes | | |
| 5 | s3.18(3)(c) | Has the local government satisfied itself that the services and facilities that it provides ensure services and facilities are properly managed. | Yes | | |
| 6 | s3.40A(1) | Where in the opinion of the local government a vehicle was an abandoned vehicle wreck, was it removed and impounded by an employee authorised (for that purpose) by the local government. | Yes | | |
| 7 | s3.40A(2) | Where the owner of the vehicle was identified within 7 days after its removal under s3.40A(1), did the local government give notice to that person advising that the vehicle may be collected from a place specified during such hours as are specified in the notice. | Yes | | |
| 8 | s3.40A(3) | Where notice was given under s3.40A(2) did it include a short statement of the effect of subsection (4)(b) and the effect of the relevant provisions of sections 3.46 and 3.47. | Yes | | |
| 9 | s3.51(3) | Did the local government give notice of what is proposed to be done giving details of the proposal and inviting submissions from any person who wishes to make a submission and allow a reasonable time for submissions to be made and consider any submissions made. | Yes | | |
| 10 | s3.52(4) | Has the local government kept plans for the levels and alignments of public thoroughfares that are under its control or management, and made those plans available for public inspection. | Yes | | |
| 11 | s3.32(2) | Did the notice of intended entry specify the purpose for which the entry was required. | N/A | | |
| 12 | s3.32(3) | Was the notice of intended entry given not less than 24 hours before the power of entry was exercised. | N/A | | |
| Finance | | | | | |
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Department of Local Government - Compliance Audit - Return



| No | Reference | Question | Response | Comments | Respondent |
|----|------------------------|--|----------|---|------------|
| 1 | s5.53, Admin Reg 19B | Has the local government prepared an annual report for the financial year ended 30 June 2010 that contained the prescribed information under the Act and Regulations. | Yes | | |
| 2 | s5.54(1), (2) | Was the annual report accepted by absolute majority by the local government by 31 December 2010. | Yes | | |
| 3 | s5.54(1), (2) | Where the Auditor's report was not available in time for acceptance by 31 December, was it accepted no more than two months after the Auditor's report was made available. | N/A | | |
| 4 | s5.55 | Did the CEO give local public notice of the availability of the annual report as soon as practicable after the local government accepted the report. | Yes | | |
| 5 | s5.56 Admin Reg 19C(2) | Has the local government made a plan for the future of its district in respect of the period specified in the plan (being at least 2 financial years). | Yes | | |
| 6 | Admin Reg 19D | After a plan for the future, or modifications to a plan were adopted under regulation 19C, did the local government give public notice in accordance with subsection (2). | Yes | | |
| 7 | s5.94, s5.95 | Did the local government allow any person attending the local government during office hours to inspect information, free of charge, listed in s5.94 of the Act and subject to s5.95 whether or not the information was current at the time of inspection. | Yes | | |
| 8 | s5.96 | Where a person inspected information under Part 5, Division 7 of the Act and requested a copy of that information, did the local government ensure that copies were available at a price that did not exceed the cost of providing those copies. | Yes | | |
| 9 | s5.98 Admin Reg 30 | Was the fee made available to elected members for attending meetings within the prescribed range. | N/A | Annual fee paid in lieu of attendance fees. | |
| 10 | s5.98 Admin Reg 31 | Was the reimbursement of expenses to elected members within the prescribed ranges or as prescribed. | Yes | | |
| 11 | s5.98A Admin Reg 33A | Where a local government decided to pay the deputy mayor or the deputy president an allowance, was it resolved by absolute majority. | Yes | | |
| 12 | s5.98A Admin Reg 33A | Where a local government decided to pay the deputy mayor or the deputy president an allowance, was it up to (or below) the prescribed percentage of the annual local government allowance to which the mayor or president is entitled under section 5.98(5). | Yes | | |

Department of Local Government - Compliance Audit: Return



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| 13 | s5.99 34 | Admin Reg | Where a local government decided to pay Council members an annual fee in lieu of fees for attending meetings, was it resolved by absolute majority. | Yes |
| 14 | s5.99 34 | Admin Reg | Where a local government decided to pay Council members an annual fee in lieu of fees for attending meetings, was it within the prescribed range. | Yes |
| 15 | s5.99A 34A, AA, AB | Admin Reg | Where a local government decided to pay Council members an allowance instead of reimbursing telephone, facsimile machine rental charges and other telecommunication, information technology, travelling and accommodation expenses, was it resolved by absolute majority. | Yes |
| 16 | s5.99A 34A, AA, AB | Admin Reg | Where a local government decided to pay Council members an allowance instead of reimbursing telephone, facsimile machine rental charges and other telecommunication, information technology, travelling and accommodation expenses, was it within the prescribed range. | Yes |
| 17 | s5.100 (1) | | Did the local government pay a fee for attending committee meetings only to a committee member who was NOT a council member. | No |
| 18 | s5.100 (2) | | Where the local government decided to reimburse a committee member, who was not a council member or employee, for an expense incurred by the person in relation to a matter affecting the local government, was it within the prescribe range. | N/A |
| 19 | s6.8 | | Was expenditure that the local government incurred from its municipal fund, but not included in its annual budget, authorised in advance on all occasions by absolute majority resolution. | Yes |
| 20 | s6.8(1)(c) | | Did the Mayor or President authorise expenditure from the municipal fund in an emergency. (Please indicate circumstances in the "Comments" column) | N/A |
| 21 | s6.8 | | In relation to expenditure that the local government incurred from its municipal fund that was authorised in advance by the mayor or president in an emergency, was it reported on all occasions to the next ordinary meeting of council. | N/A |
| 22 | s6.12, 6.13, 6.16(1),(3) | | Did Council at the time of adopting its budget, determine the granting of a discount or other incentive for early payment by absolute majority. | Yes |
| 23 | s6.12, 6.13, 6.16(1),(3) | | Did Council determine the setting of an interest rate on money owing to Council by absolute majority. | N/A |
| 24 | s6.12, 6.13, 6.16(1),(3) | | Did Council determine to impose or amend a fee or charge for any goods or services provided by the local government by absolute majority. (Note: this applies to money other than rates and service charges). | Yes |

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| 25 | s6.17(3) | Were the fees or charges imposed for receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate, limited to the cost of providing the service or goods. | Yes | |
| 26 | s6.17(3) | Were the fees or charges imposed for any other service prescribed in section 6.16 (2)(f), limited to the cost of providing the service or goods. | Yes | |
| 27 | s6.19 | After the budget was adopted, did the local government give local public notice for all fees and charges stating its intention to introduce the proposed fees or charges and the date from which it proposed to introduce the fees or charges. | Yes | |
| 28 | s6.20(2) | FM Reg 20 On each occasion where the local government exercised the power to borrow, was the Council decision to exercise that power by absolute majority (Only required where the details of the proposal were not included in the annual budget for that financial year). | N/A | All borrowing was done in accordance with adopted budget. |
| 29 | S6.76(6) | Was the outcome of an objection under section 6.76(1) promptly conveyed to the person who made the objection including a statement of the local government's decision on the objection and its reasons for that decision. | Yes | |
| 30 | FM Reg 5 | Has efficient systems and procedures been established by the CEO of a local government as listed in Finance Reg 5. | Yes | |
| 31 | FM Reg 6 | Has the local government ensured that an employee to whom is delegated responsibility for the day to day accounting or financial management operations of a local government is not also delegated the responsibility for conducting an internal audit or reviewing the discharge of duties by that employee. | Yes | |
| 32 | s7.1A | Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act. | Yes | |
| 33 | s7.1B | Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority. | N/A | Audit Committee has no delegated powers / duties. |
| 34 | s7.3 | Was the person(s) appointed by the local government to be its auditor, a registered company auditor. | N/A | Auditor Appointed in a prior review period. |
| 35 | s7.3 | Was the person(s) appointed by the local government to be its auditor, an approved auditor. | N/A | Auditor Appointed in a prior review period. |
| 36 | s7.3 | Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council. | N/A | Auditor Appointed in a prior review period. |
| 37 | s7.12A(3), (4) | Where the local government determined that matters raised in the auditor's report prepared under s7.9(1) of the Act required action to be taken by the local government, was that action undertaken. | N/A | There were no matters raised in the Auditor's report requiring Council response / action. |

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| 38 | s7.12A(3), (4) | Where the local government determined that matters raised in the auditor's report (prepared under s7.9(1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken. | N/A | |
| 39 | s7.12A(3), (4) | Where the local government determined that matters raised in the auditor's report (prepared under s7.9(1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time. | N/A | |
| 40 | Audit Reg 7 | Did the agreement between the local government and its auditor include the objectives of the audit. | Yes | |
| 41 | Audit Reg 7 | Did the agreement between the local government and its auditor include the scope of the audit. | Yes | |
| 42 | Audit Reg 7 | Did the agreement between the local government and its auditor include a plan for the audit. | Yes | |
| 43 | Audit Reg 7 | Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor. | Yes | |
| 44 | Audit Reg 7 | Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor. | Yes | |
| Local Government Employees | | | | |
| No | Reference | Question | Response | Comments |
| 1 | Admin Reg 18C | Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised. | N/A | Did not recruit a CEO in 2010. |
| 2 | s5.36(4) s5.37(3) | Were all vacancies for the position of CEO and for designated senior employees advertised. | N/A | There were no vacancies / appointments in the CEO or senior employee positions during the review period. |
| 3 | s5.36(4) s5.37(3) Admin Reg 18A(1) | Did the local government advertise for the position of CEO and for designated senior employees in a newspaper circulated generally throughout the State. | N/A | There were no vacancies / appointments in the CEO or senior employee positions during the review period. |

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| 4 | s5.36(4), 5.37(3), Admin Reg 18A | Did all advertisements for the position of CEO and for designated senior employees contain details of the remuneration and benefits offered. | N/A | There were no vacancies / appointments in the CEO or senior employee positions during the review period. |
| 5 | s5.36(4), 5.37(3), Admin Reg 18A | Did all advertisements for the position of CEO and for designated senior employees contain details of the place where applications for the position were to be submitted. | N/A | There were no vacancies / appointments in the CEO or senior employee positions during the review period. |
| 6 | s5.36(4), 5.37(3), Admin Reg 18A | Did all advertisements for the position of CEO and for designated senior employees detail the date and time for closing of applications. | N/A | There were no vacancies / appointments in the CEO or senior employee positions during the review period. |
| 7 | s5.36(4), 5.37(3), Admin Reg 18A | Did all advertisements for the position of CEO and for designated senior employees indicate the duration of the proposed contract. | N/A | There were no vacancies / appointments in the CEO or senior employee positions during the review period. |
| 8 | s5.36(4), 5.37(3), Admin Reg 18A | Did all advertisements for the position of CEO and for designated senior employees provide contact details of a person to contact for further information. | N/A | There were no vacancies / appointments in the CEO or senior employee positions during the review period. |
| 9 | s5.37(2) | Did the CEO inform council of each proposal to employ or dismiss a designated senior employee. | N/A | There were no vacancies / appointments in the CEO or senior employee positions during the review period. |
| 10 | s5.38 | Was the performance of each employee, employed for a term of more than one year, (including the CEO and each senior employee), reviewed within the most recently completed 12 months of their term of employment. | Yes | |
| 11 | Admin Reg 18D | Where Council considered the CEO's performance review did it decide to accept the review with or without modification (if Council did not accept the review, the preferred answer is N/A & refer Q12). | Yes | |
| 12 | Admin Reg 18D | Where the Council considered the CEO's performance review, but decided not to accept the review, did it decide to reject the review (if Council accepted the review, the preferred answer is N/A refer Q11). | N/A | |
| 13 | s5.39 | During the period covered by this Return, were written performance based contracts in place for the CEO and all designated senior employees who were employed since 1 July 1996. | No | One contract for a designated senior employee was in the process of negotiation for renewal during the period in question. |

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| 14 | s5.39 Admin Reg 18B | Does the contract for the CEO and all designated senior employees detail the maximum amount of money payable if the contract is terminated before the expiry date. This amount is the lesser of the value of one year's remuneration under the contract. | Yes | | |
| 15 | s5.39 Admin Reg 18B | Does the contract for the CEO and all designated senior employees detail the maximum amount of money payable if the contract is terminated before the expiry date and this amount is the lesser of the value of the remuneration they would be entitled to had the contract not been terminated. | Yes | | |
| 16 | s5.50(1) | Did Council adopt a policy relating to employees whose employment terminates, setting out the circumstances in which council would pay an additional amount to that which the employee is entitled under a contract or award. | N/A | Council has a \$5.50 Policy that was adopted prior to review period. | |
| 17 | s5.50(1) | Did Council adopt a policy relating to employees whose employment terminates, setting out the manner of assessment of an additional amount. | N/A | Council has a \$5.50 Policy that was adopted prior to review period. | |
| 18 | s5.50(2) | Did the local government give public notice on all occasions where council made a payment that was more than the additional amount set out in its policy. | N/A | There were no such payments made in the review period. | |
| 19 | s5.53(2)(g) Admin Reg 19B | For the purposes of section 5.53(2)(g) did the annual report of a local government for a financial year contain the number of employees of the local government entitled to an annual salary of \$100,000 or more. | Yes | | |
| 20 | s5.53(2)(g) Admin Reg 19B | For the purposes of section 5.53(2)(g) did the annual report of a local government for a financial year contain the number of those employees with an annual salary entitlement that falls within each band of \$10,000 and over \$100,000. | Yes | | |
| 21 | Admin Reg 18F | Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.56(4). | N/A | | |
| 22 | Admin Regs 18E | Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only). | N/A | | |
| 23 | Admin Reg 33 | Was the allowance paid to the mayor or president for the purposes of s5.98(5) within the prescribed range. | Yes | | |
| Local Laws | | | | | |
| No | Reference | Question | Response | Comments | Respondent |

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|----|--------------------|--|-----|---|
| 1 | s3.12(2) F&G Reg 3 | On each occasion that Council resolved to make a local law, did the person presiding at the Council meeting give notice of the purpose and effect of each proposed local law in the manner prescribed in Functions and General Regulation 3. | Yes | |
| 2 | s3.12(4) | Have all Council's resolutions to make local laws been by absolute majority. | Yes | |
| 3 | s3.12(4) | Have all Council's resolutions to make local laws been recorded as such in the minutes of the meeting. | Yes | |
| 4 | s3.12(6) | After the local law was published in the Gazette, did the local government give local public notice summarising the purpose and effect of the local law and the day on which it came into operation. | Yes | |
| 5 | s3.12(6) | After the local law was published in the Gazette, did the local government give local public notice advising that copies of the local law may be inspected or obtained from its office. | Yes | |
| 6 | s3.16(1) | Have all reviews of local laws under section 3.16(1) of the Act been carried out within a period of 8 years. | No | The review of the City's Fencing Local Law was commenced, but not finalised, within the appropriate period of time. |
| 7 | s3.16(1)(2) | If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice stating that it intended to review the local law. | Yes | |
| 8 | s3.16(1)(2) | If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice advising that a copy of the local law could be inspected or obtained at the place specified in the notice. | Yes | |
| 9 | s3.16(1)(2) | If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice detailing the closing date for submissions about the local law. | Yes | |
| 10 | s3.16(3) | Did the local government (after the last day for submissions) prepare a report of the review and have it submitted to Council. | Yes | |
| 11 | s3.16(4) | Was the decision to repeal or amend a local law determined by absolute majority on all occasions. | Yes | |

Meeting Process

| No | Reference | Question | Response | Comments | Respondent |
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| 1 | s2.25(1)(3) | Where Council granted leave to a member from attending 6 or less consecutive ordinary meetings of Council was it by Council resolution. | Yes |
| 2 | s2.25(1)(3) | Where Council granted leave to a member from attending 6 or less consecutive ordinary meetings of Council, was it recorded in the minutes of the meeting at which the leave was granted. | Yes |
| 3 | s2.25(3) | Where Council refused to grant leave to a member from attending 6 or less consecutive ordinary meetings of Council, was the reason for refusal recorded in the minutes of the meeting. | N/A |
| 4 | s2.25(2) | Was Ministerial approval sought (on all occasions) before leave of absence was granted to an elected member in respect of more than 6 consecutive ordinary meetings of council. | N/A |
| 5 | s5.4 | On all occasions when the mayor or president called an ordinary or special meeting of Council, was it done by notice to the CEO setting out the date and purpose of the proposed meeting; | Yes |
| 6 | s5.5 | On all occasions when councillors called an ordinary or special meeting of Council was it called by at least 1/3 (one third) of the councillors, by notice to the CEO setting out the date and purpose of the proposed meeting. | N/A There were no instances of Councillors calling Council meetings. |
| 7 | s5.5(1) | Did the CEO give each council member at least 72 hours notice of the date, time, place and an agenda for each ordinary meeting of Council. | Yes |
| 8 | s5.5(2) | Did the CEO give each council member notice before the meeting, of the date, time, place and purpose of each special meeting of Council. | Yes |
| 9 | s5.7 | Did the local government seek approval (on each occasion as required) from the Minister or his delegate, for a reduction in the number of offices of member needed for a quorum at a Council meeting | N/A |
| 10 | s5.7 | Did the local government seek approval (on each occasion as required) from the Minister or his delegate, for a reduction in the number of offices of member required for absolute majorities. | N/A |
| 11 | s5.8 | Did the local government ensure all Council committees (during the review period) were established by an absolute majority. | N/A All Committees established prior to this review period. |
| 12 | s5.10(1)(a) | Did the local government ensure all members of Council committees; during the review period, were appointed by an absolute majority (other than those persons appointed in accordance with section 5.10 (1)(b)). | N/A |
| 13 | s5.10(2) | Was each Council member given their entitlement during the review period, to be appointed as a committee member of at least one committee, as referred to in section 5.9(2)(a) & (b) of the Act. | N/A |

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| 14 | s5.12(1) | Were Presiding members of committees elected by the members of the committees (from amongst themselves) in accordance with Schedule 2.3, Division 1 of the Act. | N/A |
| 15 | s5.12(2) | Were Deputy presiding members of committees elected by the members of the committee (from amongst themselves) in accordance with Schedule 2.3 Division 2 of the Act. | N/A |
| 16 | s5.15 | Where the local government reduced a quorum of a committee meeting, was the decision made by absolute majority on each occasion. | N/A |
| 17 | s5.21 (4) | When requested by a member of Council or committee, did the person presiding at a meeting ensure an individual vote or the vote of all members present, were recorded in the minutes. | Yes |
| 18 | s5.22(1) | Did the person presiding at a meeting of a Council or a committee ensure minutes were kept of the meeting's proceedings. | Yes |
| 19 | s5.22(2)(3) | Were the minutes of all Council and committee meetings submitted to the next ordinary meeting of Council or committee, as the case requires, for confirmation. | Yes |
| 20 | s5.22(2)(3) | Were the minutes of all Council and committee meetings signed to certify their confirmation by the person presiding at the meeting at which the minutes of Council or committee were confirmed. | Yes |
| 21 | s5.23 (1) | Were all council meetings open to members of the public (subject to section 5.23(2) of the Act). | Yes |
| 22 | s5.23 (1) | Were all meetings of committees to which a power or duty had been delegated open to members of the public (subject to section 5.23(2) of the Act). | Yes |
| 23 | s5.23(2)(3) | On all occasions, was the reason, or reasons, for closing any Council or committee meeting to members of the public, in accordance with the Act. | Yes |
| 24 | s5.23(2)(3) | On all occasions, was the reason, or reasons, for closing any Council or committee meeting to members of the public recorded in the minutes of that meeting. | Yes |
| 25 | s5.24 (1) Admin Reg 586 | Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every ordinary meeting of Council. | Yes |
| 26 | s5.24 (1) Admin Reg 586 | Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every special meeting of Council. | Yes |
| 27 | s5.24 (1) Admin Reg 586 | Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every meeting of a committee to which the local government has delegated a power or duty. | Yes |

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| 28 | Admin Reg 8 | Was a period of 30 minutes allowed from the advertised commencement time before any Council or committee was adjourned due to the lack of a quorum. | Yes |
| 29 | Admin Reg 9 | Was voting at Council or committee meetings conducted so that no vote was secret. | Yes |
| 30 | Admin Reg 10(1) | Were all motions to revoke or change decisions at Council or committee meetings supported in the case where an attempt to revoke or change the decision had been made within the previous 3 months but failed, by an absolute majority. | Yes |
| 31 | Admin Reg 10(1) | Were all motions to revoke or change decisions at Council or committee meetings supported in any other case, by at least one third of the number of officers of member (whether vacant or not) of the Council or committee. | Yes |
| 32 | Admin Reg 10(2) | Were all decisions to revoke or change decisions made at Council or committee meetings made (in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority), by that kind of majority. | Yes |
| 33 | Admin Reg 10(2) | Were all decisions to revoke or change decisions made at Council or committee meetings made in any other case, by an absolute majority. | Yes |
| 34 | Admin Reg 11 | Did the contents of minutes of all Council or committee meetings include the names of members present at the meeting. | Yes |
| 35 | Admin Reg 11 | Did the contents of minutes of all Council or committee meetings include where a member entered or left the meeting, the time of entry or departure, as the case requires, in the chronological sequence of the business of the meeting. | Yes |
| 36 | Admin Reg 11 | Did the contents of minutes of all Council or committee meetings include details of each motion moved at the meeting, including details of the mover and outcome of the motion. | Yes |
| 37 | Admin Reg 11 | Did the contents of minutes of all Council or committee meetings include details of each decision made at the meeting. | Yes |
| 38 | Admin Reg 11 | Did the contents of the minutes of all Council or committee meetings include, where the decision was significantly different from written recommendation of a committee or officer, written reasons for varying that decision. | Yes |
| 39 | Admin Reg 11 | Did the contents of minutes of all Council or committee meetings include a summary of each question raised by members of the public and a summary of the response given. | Yes |

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| 40 | Admin Reg 11 | Did the contents of minutes of all Council or committee meetings include in relation to each disclosure made under sections 5.65 or 5.70, where the extent of the interest has been disclosed, the extent of the interest. | Yes |
| 41 | Admin Reg 12(1) | Did the local government, at least once during the period covered by this return, give local public notice for the next twelve months of the date, time and place of ordinary Council meetings. | Yes |
| 42 | Admin Reg 12(1) | Did the local government, at least once during the period covered by this return, give local public notice for the next twelve months of the date, time and place of those committee meetings that were required under the Act to be open to the public or that were proposed to be open to the public. | Yes |
| 43 | Admin Reg 12(2) | Did the local government give local public notice of any changes to the dates, time or places referred to in the question above. | Yes |
| 44 | Admin Reg 12(3)(4) | In the CEO's opinion, where it was practicable, were all special meetings of Council (that were open to members of the public) advertised via local public notice. | Yes |
| 45 | Admin Reg 12(3)(4) | Did the notice referred to in the question above include details of the date, time, place and purpose of the special meeting. | Yes |
| 46 | Admin Reg 13 | Did the local government make available for public inspection unconfirmed minutes of all Council meetings within 10 business days after the Council meetings. | Yes |
| 47 | Admin Reg 13 | Did the local government make available for public inspection unconfirmed minutes of all committee meetings within 5 business days after the committee meetings. | Yes |
| 48 | Admin Reg 14(1)(2) | Were notice papers, agenda and other documents relating to any Council or committee meeting, (other than those referred to in Admin Reg 14(2)) made available for public inspection. | Yes |
| 49 | Admin Reg 14A | On all occasions where a person participated at a Council or committee meeting by means of instantaneous communication, (by means of audio, telephone or other instantaneous contact) as provided for in Administration Regulation 14A, did the Council approve of the arrangement by absolute majority. | N/A |
| 50 | Admin Reg 14A | On all occasions where a person participated at a Council or committee meeting by means of instantaneous communication, (as provided for in Administration Regulation 14A) was the person in a suitable place as defined in Administration Regulation 14A(4) | N/A |
| 51 | s5.27(2) | Was the annual general meeting of electors held within 56 days of the local government's acceptance of the annual report for the previous financial year. | Yes |

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| 52 | s5.29 | Did the CEO convene all electors' meetings by giving at least 14 days local public notice and each Council member at least 14 days notice of the date, time, place and purpose of the meeting. | Yes |
| 53 | s5.32 | Did the CEO ensure the minutes of all electors' meetings were kept and made available for public inspection before the Council meeting at which decisions made at the electors' meeting were first considered. | Yes |
| 54 | s5.33(1) | Were all decisions made at all electors' meetings considered at the next ordinary Council meeting, or, if not practicable, at the first ordinary Council meeting after that, or at a special meeting called for that purpose. | Yes |
| 55 | s5.33(2) | Were the reasons for Council decisions in response to decisions made at all electors' meetings recorded in the minutes of the appropriate Council meeting. | Yes |
| 56 | s5.103(3) Admin Reg 34B | Has the CEO kept a register of all notifiable gifts received by Council members and employees. | Yes |

Miscellaneous Provisions

| No | Reference | Question | Response | Comments | Respondent |
|----|-------------|---|----------|----------|------------|
| 1 | s9.4 | Has each person who received an unfavourable decision from Council, or from an employee of the local government exercising delegated authority, (that is appealable under Part 9 of the Act) been informed of his or her right to object and appeal against the decision. | Yes | | |
| 2 | s9.29(2)(b) | On all occasions, were those employees who represented the local government in court proceedings, appointed in writing by the CEO. | Yes | | |
| 3 | s9.6(5) | Did the local government ensure that the person who made the objection was given notice in writing of how it has been decided to dispose of the objection and the reasons why. | Yes | | |

Official Conduct

| No | Reference | Question | Response | Comments | Respondent |
|----|-----------|---|----------|--|------------|
| 1 | s5.120 | Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer. | N/A | CEO is the complaints officer. | |
| 2 | s5.121(1) | Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c). | Yes | There were no complaints received / recorded during the review period. | |

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| 3 | s5.121(2)(a) | Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made. | Yes | There were no complaints received / recorded during the review period. |
| 4 | s5.121(2)(b) | Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint. | Yes | There were no complaints received / recorded during the review period. |
| 5 | s5.121(2)(c) | Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred. | Yes | There were no complaints received / recorded during the review period. |
| 6 | s5.121(2)(d) | Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b)(c). | Yes | There were no complaints received / recorded during the review period. |

Swimming Pools

| No | Reference | Question | Response | Comments | Respondent |
|----|-------------------------------------|---|----------|----------|------------|
| 1 | s245A(5)(aa) LG (MiscProv) Act 1960 | Have inspections of known private swimming pools, either been, or are proposed to be, carried out as required by section 245A(5)(aa) of the Local Government (Miscellaneous Provisions) Act 1960. | Yes | | |

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Tenders for Providing Goods and Services

| No | Reference | Question | Response | Comments | Respondent |
|----|------------------|--|----------|---|------------|
| 1 | s3.57 F&G Reg 11 | Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)). | No | On a small number of occasions the City did not meet the requirements to call tenders where goods and / or services would reasonably exceed the accepted consideration as legislated (\$100,000). These instances include – <ul style="list-style-type: none"> * Security services * Painting services * Carpentry services * Glass repair and supply * Office furniture supply A variety of remedial actions have been undertaken to prevent further instances occurring, including education sessions and development of "warning" reports. Tenders in the aforementioned areas not covered by 'Preferred Supplier' arrangements have also been called or are in the process of being called. | |
| 2 | F&G Reg 12 | Has the local government, as far as it is aware, only entered into a single contract rather than multiple contracts so as to avoid the requirements to call tenders in accordance with F&G Reg 11(1). | Yes | | |
| 3 | F&G Reg 14(1) | Did the local government invite tenders via Statewide public notice. | Yes | | |
| 4 | F&G Reg 14(3) | Did all the local government's invitations to tender include a brief description of the goods and services required and contact details for a person from whom more detailed information could be obtained about the tender. | Yes | | |
| 5 | F&G Reg 14(3) | Did all the local government's invitations to tender include information as to where and how tenders could be submitted. | Yes | | |
| 6 | F&G Reg 14(3) | Did all the local government's invitations to tender include the date and time after which tenders would not be accepted. | Yes | | |
| 7 | F&G Reg 14(3)(4) | Did the local government ensure information was made available to all prospective tenderers concerning detailed specifications of the goods or services required. | Yes | | |
| 8 | F&G Reg 14(3)(4) | Did the local government ensure information was made available to all prospective tenderers of the criteria for deciding which tender would be accepted. | Yes | | |

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| 9 | F&G Reg 14(3)(4) | Did the local government ensure information was made available to all prospective tenderers about whether or not the local government had decided to submit a tender. | Yes |
| 10 | F&G Reg 14(3)(4) | Did the local government ensure information was made available to all prospective tenderers on whether or not tenders were allowed to be submitted by facsimile or other electronic means and if so, how tenders were to be submitted. | Yes |
| 11 | F&G Reg 14(3)(4) | Did the local government ensure all prospective tenderers had any other information that should be disclosed to those interested in submitting a tender. | Yes |
| 12 | F&G Reg 14(5) | If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation. | Yes |
| 13 | F&G Reg 15 | Following the publication of the notice inviting tenders, did the local government allow a minimum of 14 days for tenders to be submitted. | Yes |
| 14 | F&G Reg 16(1) | Did the local government ensure that tenders submitted, (including tenders submitted by facsimile or other electronic means) were held in safe custody. | Yes |
| 15 | F&G Reg 16(1) | Did the local government ensure that tenders submitted, (including tenders submitted by facsimile or other electronic means) remained confidential. | Yes |
| 16 | F&G Reg 16 (2)& (3)(a) | Did the local government ensure all tenders received were not opened, examined or assessed until after the time nominated for closure of tenders. | Yes |
| 17 | F&G Reg 16 (2)& (3)(a) | Did the local government ensure all tenders received were opened by one or more employees of the local government or a person authorised by the CEO. | Yes |
| 18 | F&G Reg 16 (3)(b) | Did the local government ensure members of the public were not excluded when tenders were opened. | Yes |
| 19 | F&G Reg 16 (3)(c) | Did the local government record all details of the tender (except the consideration sought) in the tender register immediately after opening. | Yes |
| 20 | F&G Reg 18(1) | Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender. | Yes |
| 21 | F&G Reg 18 (4) | In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria. | Yes |

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| 22 | F&G Reg 17 (2) & (3) | Does the local government's Tender Register include (for each invitation to tender) a brief description of the goods or services required. | Yes |
| 23 | F&G Reg 17 (2) & (3) | Does the local government's Tender Register include (for each invitation to tender) particulars of the decision made to invite tenders and if applicable the decision to seek expressions of interest under Regulation 21(1). | Yes |
| 24 | F&G Reg 17 (2) & (3) | Does the local government's Tender Register include (for each invitation to tender) particulars of any notice by which expressions of interest from prospective tenderers were sought and any person who submitted an expression of interest. | Yes |
| 25 | F&G Reg 17 (2) & (3) | Does the local government's Tender Register include (for each invitation to tender) any list of acceptable tenderers that was prepared under regulation 23(4) | Yes |
| 26 | F&G Reg 17 (2) & (3) | Does the local government's Tender Register include (for each invitation to tender) a copy of the notice of invitation to tender. | Yes |
| 27 | F&G Reg 17 (2) & (3) | Does the local government's Tender Register include (for each invitation to tender) the name of each tenderer whose tender was opened. | Yes |
| 28 | F&G Reg 17 (2) & (3) | Does the local government's Tender Register include (for each invitation to tender) the name of the successful tenderer. | Yes |
| 29 | F&G Reg 17 (2) & (3) | Does the local government's Tender Register include (for each invitation to tender) the amount of consideration or the summary of the amount of the consideration sought in the accepted tender. | Yes |
| 30 | F&G Reg 19 | Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted. | Yes |
| 31 | F&G Reg 21(3) | On each occasion that the local government decided to invite prospective tenderers to submit an expression of interest for the supply of goods or services, did the local government issue a Statewide public notice. | Yes |
| 32 | F&G Reg 21(4) | Did all public notices inviting an expression of interest, include a brief description of the goods and services required. | Yes |
| 33 | F&G Reg 21(4) | Did all public notices inviting an expression of interest, include particulars of a person from whom more detailed information could be obtained. | Yes |
| 34 | F&G Reg 21(4) | Did all public notices inviting an expression of interest, include information as to where and how expressions of interest could be submitted. | Yes |
| 35 | F&G Reg 21(4) | Did all public notices inviting an expression of interest, include the date and time after which expressions of interest would not be accepted. | Yes |

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| 36 | F&G Reg 22 | Following the publication of the notice inviting expressions of interest, did the local government allow a minimum of 14 days for the submission of expressions of interest. | Yes |
| 37 | F&G Reg 23(1) | Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice. | Yes |
| 38 | F&G Reg 23(4) | After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services. | Yes |
| 39 | F&G Reg 24 | Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24. | Yes |
| 40 | F&G Reg 24E | Where the local government gave a regional price preference in relation to a tender process, did the local government prepare a proposed regional price preference policy (only if a policy had not been previously adopted by Council). | N/A |
| 41 | F&G Reg 24E | Where the local government gave a regional price preference in relation to a tender process, did the local government give Statewide public notice of its intention to have a regional price preference policy and include in that notice the region to which the policy is to relate (only if a policy had not been previously adopted by Council). | N/A |
| 42 | F&G Reg 24E | Where the local government gave a regional price preference in relation to a tender process, did the local government include in the notice details of where a complete copy of the proposed policy may be obtained (only if a policy had not been previously adopted by Council). | N/A |
| 43 | F&G Reg 24E | Where the local government gave a regional price preference in relation to a tender process, did the local government include in the notice a statement inviting submissions commenting on the proposed policy, together with a closing date of not less than 4 weeks for those submissions (only if a policy had not been previously adopted by Council). | N/A |
| 44 | F&G Reg 24E | Where the local government gave a regional price preference in relation to a tender process, did the local government make a copy of the proposed regional price preference policy available for public inspection in accordance with the notice (only if a policy had not been previously adopted by Council). | N/A |
| 45 | F&G Reg 11A(1) | Has the local government prepared and adopted a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100,000 or less or worth \$100,000 or less. | Yes |
| 46 | F&G Reg 11A(3)(a) | Did the purchasing policy that was prepared and adopted make provision in respect of the form of quotations acceptable. | Yes |