



Audit Committee Agenda

14 March 2018

ALL INFORMATION AVAILABLE IN VARIOUS FORMATS ON REQUEST

city@busselton.wa.gov.au

CITY OF BUSSELTON

MEETING NOTICE AND AGENDA – 14 MARCH 2018

TO: THE MAYOR AND COUNCILLORS

NOTICE is given that a meeting of the Audit Committee will be held in the Committee Room, Administration Building, Southern Drive, Busselton on Wednesday, 14 March 2018, commencing at 11.00am.

The attendance of Committee Members is respectfully requested.

Statements or decisions made at Council meetings or briefings should not be relied on (or acted upon) by an applicant or any other person or entity until subsequent written notification has been given by or received from the City of Busselton. Without derogating from the generality of the above, approval of planning applications and building permits and acceptance of tenders and quotations will only become effective once written notice to that effect has been given to relevant parties. The City of Busselton expressly disclaims any liability for any loss arising from any person or body relying on any statement or decision made during a Council meeting or briefing.



MIKE ARCHER

CHIEF EXECUTIVE OFFICER

8 March 2018

CITY OF BUSSELTON

AGENDA FOR THE AUDIT COMMITTEE MEETING TO BE HELD ON 14 MARCH 2018

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1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

2. ATTENDANCE

Apologies

3. PUBLIC QUESTION TIME

4. DISCLOSURE OF INTERESTS

5. CONFIRMATION OF MINUTES

5.1 Minutes of the Audit Committee Meeting held 2 November 2017

RECOMMENDATION

That the Minutes of the Audit Committee Meeting held 2 November 2017 be confirmed as a true and correct record.

6. REPORTS

6.1 COMPLIANCE AUDIT RETURN 2017

SUBJECT INDEX:	Reporting and Compliance
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Finance and Corporate Services
ACTIVITY UNIT:	Governance Services
REPORTING OFFICER:	Manager Financial Services - Kim Dolzadelli
AUTHORISING OFFICER:	Director Finance and Corporate Services - Tony Nottle
VOTING REQUIREMENT:	Absolute Majority
ATTACHMENTS:	Attachment A Compliance Audit Return 2017 ↓

PRÉCIS

The Compliance Audit Return (CAR) relating to the activities of the City of Busselton during 2017 has been completed. The return is a statutory obligation and covers a range of requirements under the *Local Government Act 1995* and various Regulations.

The completed Compliance Audit Return is attached to this report (*refer Attachment A*) for the consideration of the Council. The return is recommended for adoption, after which it will be forwarded to the Department of Local Government, Sport and Cultural Industries as required by 31 March 2018.

BACKGROUND

The Department of Local Government, Sport and Cultural Industries has made available the 2017 Compliance Audit Return (CAR) for completion.

The Local Government Act 1995 Section 7.13 requires a Local Government to complete the Compliance Audit Return in the form specified by the Department of Local Government, Sport and Cultural Industries. The Local Government Audit Regulations require the Return to be considered by the Audit Committee and submitted to the Department by 31 March.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Audit) Regulations 1996 Regulations 13, 14 and 15.

14. *Compliance audits by local governments*

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) *After the audit committee has reported to the council under sub regulation (3A), the compliance audit return is to be —*

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

15. *Compliance audit return, certified copy of etc. to be given to Executive Director*

- (1) *After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*

(a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and

(b) any additional information explaining or qualifying the compliance audit, is to be submitted to the Executive Director by 31 March next following the period to which the return relates.

- (2) *In this regulation — **certified** in relation to a compliance audit return means signed by —*

(a) the mayor or president; and

(b) the CEO.

RELEVANT PLANS AND POLICIES

Not applicable

FINANCIAL IMPLICATIONS

Nil

Long-term Financial Plan Implications

Nil

STRATEGIC COMMUNITY OBJECTIVES

The completed Compliance Audit Return 2017 aligns with and supports the **Council's Key Goal Area 6** – 'Leadership' and more specifically **Community Objective 6.1** – 'Governance systems, process and practices are responsible, ethical and transparent'.

The compliance assessment is one of the mechanisms that enable the organisation to ensure that it has governance systems that deliver responsible, ethical and accountable decision-making.

RISK ASSESSMENT

The whole process of the compliance assessment is about identifying risks to the organisation where non-compliant activities have potentially occurred.

CONSULTATION

The questions listed in the compliance return provided by the Department of Local Government, Sport and Cultural Industries have been responded to by designated council staff responsible for the actions required to comply with the appropriate legislation.

OFFICER COMMENT

The attached Compliance Audit Return demonstrates that the organisation has a good understanding of statutory requirements and has applied the correct interpretation to these requirements. The return covered the organisation's processes and records relating to:

Area of Compliance	# Questions
Commercial Enterprises by Local Governments	5
Delegation of Power / Duty	13
Disclosure of Interest	16
Disposal of Property	2
Elections	1
Finance	14
Integrated Planning & Reporting	7
Local Government Employees	5
Official Conduct	6
Tenders for Providing Goods and Services	25
Total	94

The Authorising Officer notes 100% compliance with respect to the Compliance Audit Return 2017 which is similar to previous years where compliance returns have had a high degree of compliance.

It is noted that having analysed the City's supplier payments for the relevant period it appears that, in respect of two suppliers (both expert consultants), tenders had not been invited where the combined consideration under their contract(s) exceeded the consideration stated in Regulation 11(1) of the Local Government (Functions and General) Regulations. However, at the time of entering into the separate contracts with these consultants, the consideration under their contract was not expected to be worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions and General) Regulations.

For various unexpected (mainly operational) reasons the City had to extend the scope of the projects for which these two consultants had been engaged for. The City had good reason to believe that, due to the nature and extent of these projects, the complexities which eventuated since engaging these consultants and these consultant's intimate involvement with these projects to date, it was in the City's best interest to extend these consultants contracts pursuant to Regulation 11(2) (f) of the Local Government (Functions and General) Regulations.

CONCLUSION

It is recommended that the Council adopt the return for submission to the Department of Local Government, Sport and Cultural Industries.

OPTIONS

Other than to provide a different response to those provided in the Return, there are no options available as it is a statutory requirement to complete and lodge the Return with the Department.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The certified return must be lodged with the Department of Local Government, Sport and Cultural Industries by 31 March 2018.

OFFICER RECOMMENDATION**ABSOLUTE MAJORITY DECISION OF COUNCIL REQUIRED**

That the Audit Committee, having reviewed the 2017 Compliance Audit Return, noting 100% compliance, recommends to Council that it adopts the Compliance Audit Return 2017 and authorises the Mayor and Chief Executive Officer to sign the joint certificate.

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
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and Cultural Industries

Busselton - Compliance Audit Return 2017

Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government, Sport and Cultural Industries together with a copy of section of relevant minutes.

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 2017.	N/A		Cliff Frewing
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 2017.	N/A		Cliff Frewing
3	s3.59(2)(a)(b)(c) F&G Reg 7,10	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 2017.	N/A		Cliff Frewing
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 2017.	N/A		Cliff Frewing
5	s3.59(5)	Did the Council, during 2017, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	N/A		Cliff Frewing

Delegation of Power / Duty

No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	Yes		Christine Garratt
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	Yes		Christine Garratt
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	Yes		Christine Garratt
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	Yes		Christine Garratt
5	s5.18	Has Council reviewed delegations to its committees in the 2016/2017 financial year.	Yes	Delegations were reviewed in June 2017	Christine Garratt
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		Christine Garratt
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes		Cliff Frewing
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	Yes		Cliff Frewing
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes		Cliff Frewing
10	s5.45(1)(b)	Were all decisions by the Council to	Yes		Cliff Frewing

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		amend or revoke a delegation made by absolute majority.		
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes	Christine Garratt
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 2016/2017 financial year.	Yes	Christine Garratt
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	Christine Garratt

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		Kate Dudley
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		Kate Dudley
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		Kate Dudley
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		Christine Garratt
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.	Yes		Christine Garratt
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2017.	Yes		Christine Garratt
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2017.	Yes		Cliff Frewing
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		Cliff Frewing
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		Cliff Frewing

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



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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		Kate Dudley
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		Christine Garratt
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		Christine Garratt
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	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		Kate Dudley
14	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.	N/A	This has not occurred in the last period	Kate Dudley
15	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.	N/A	This has not occurred in the last period	Kate Dudley
16	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes		Christine Garratt

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		Cliff Frewing
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		Cliff Frewing

Elections

No	Reference	Question	Response	Comments	Respondent
1	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	Yes		Christine Garratt

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



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identifies and distinguishes the
candidates.

Finance

No	Reference	Question	Response	Comments	Respondent
1	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		Kim Dolzadelli
2	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.	Yes		Kim Dolzadelli
3	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes		Kim Dolzadelli
4	s7.3, 7.6(3)	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	Yes		Kim Dolzadelli
5	Audit Reg 10	Was the Auditor's report for the financial year ended 30 June 2017 received by the local government within 30 days of completion of the audit.	Yes		Cliff Frewing
6	s7.9(1)	Was the Auditor's report for the financial year ended 30 June 2017 received by the local government by 31 December 2017.	Yes		Cliff Frewing
7	S7.12A(3)	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		Kim Dolzadelli
8	S7.12A (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		Kim Dolzadelli
9	S7.12A (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		Kim Dolzadelli
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	Yes		Kim Dolzadelli
11	Audit Reg 7	Did the agreement between the local government and its auditor include the	Yes		Kim Dolzadelli

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		scope of the audit.		
12	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes	Kim Dolzadelli
13	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	Kim Dolzadelli
14	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	Kim Dolzadelli

Integrated Planning and Reporting					
No	Reference	Question	Response	Comments	Respondent
1	s5.56 Admin Reg 19DA (6)	Has the local government adopted a Corporate Business Plan. If Yes, please provide adoption date of the most recent Plan in Comments. This question is optional, answer N/A if you choose not to respond.	Yes	26 July 2017	Sarah Pierson
2	s5.56 Admin Reg 19DA (6)	Has the local government adopted a modification to the most recent Corporate Business Plan. If Yes, please provide adoption date in Comments. This question is optional, answer N/A if you choose not to respond.	No		Sarah Pierson
3	s5.56 Admin Reg 19C (7)	Has the local government adopted a Strategic Community Plan. If Yes, please provide adoption date of the most recent Plan in Comments. This question is optional, answer N/A if you choose not to respond.	Yes	12 April 2017	Sarah Pierson
4	s5.56 Admin Reg 19C (7)	Has the local government adopted a modification to the most recent Strategic Community Plan. If Yes, please provide adoption date in Comments. This question is optional, answer N/A if you choose not to respond.	No	Not since plan was adopted in April 2017	Sarah Pierson
5	S5.56	Has the local government adopted an Asset Management Plan. If Yes, in Comments please provide date of the most recent Plan, plus if adopted or endorsed by Council the date of adoption or endorsement. This question is optional, answer N/A if you choose not to respond.	No		Sarah Pierson
6	S5.56	Has the local government adopted a Long Term Financial Plan. If Yes, in Comments please provide date of the most recent Plan, plus if adopted or	Yes	26 April 2017	Sarah Pierson

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		endorsed by Council the date of adoption or endorsement. This question is optional, answer N/A if you choose not to respond.			
7	S5.56	Has the local government adopted a Workforce Plan. If Yes, in Comments please provide date of the most recent Plan plus if adopted or endorsed by Council the date of adoption or endorsement. This question is optional, answer N/A if you choose not to respond.	Yes	8 November 2017	Sarah Pierson

Local Government Employees

No	Reference	Question	Response	Comments	Respondent
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		Sarah Pierson
2	s5.36(4) s5.37(3), Admin Reg 18A	Were all vacancies for the position of CEO and other designated senior employees advertised and did the advertising comply with s.5.36(4), 5.37(3) and Admin Reg 18A.	Yes		Sarah Pierson
3	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 5.36(4).	N/A		Sarah Pierson
4	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		Sarah Pierson
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	Yes		Sarah Pierson

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.	Yes		Tony Nottle
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		Tony Nottle
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		Tony Nottle
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the	Yes		Tony Nottle

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		name of the person who makes the complaint.		
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.	N/A	Tony Nottle
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) or (c).	N/A	Tony Nottle

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)).	Yes	Having analysed the City's supplier payments for the relevant period it appears that, in respect of two suppliers (both expert consultants), tenders had been not invited where the combined consideration under their contract(s) exceeded the consideration stated F&G Reg 11(1). However at the time of entering into the separate contracts with these consultants, the consideration under their contract was not expected to be worth more than the consideration stated in F&G Reg 11(1). For various unexpected (mainly operational) reasons the City had to extend the scope of the projects for which these two consultants had been engaged for. The City had good reason to believe that, due to the nature and extent of these projects, the complexities which eventuated since engaging these consultants and these consultant's intimate involvement with these projects to date, it was in the City's best interest to extend these consultants contracts pursuant to F&G Reg 11(2)(f).	Cobus Botha
2	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract.	Yes	The City did not enter into two or more contracts for purposes of avoiding the requirements under F&G Reg 11(1).	Cobus Botha
3	F&G Reg 14(1) & (3)	Did the local government invite tenders via Statewide public notice.	Yes	A copy of the Statewide public notice for each	Cobus Botha

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				invitation to tender is included in the City's Tender Register.	
4	F&G Reg 14 & 15	Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16.	Yes	See copies of the Statewide public notices for each invitation to tender in the City's Tender Register.	Cobus Botha
5	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	The City has kept record of each person requesting tender documents and each such person (or each acceptable tenderer, as the case may be) had been notified in writing of any variation and where practicable, requested to formally acknowledge receipt of such notice.	Cobus Botha
6	F&G Reg 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Reg 16.	Yes	During the year the City changed from a manual tender submission process to an online submission process. In respect of both these processes all tenders received remained sealed until the tender closing time. Members of the public were at all times allowed to attend tender openings. At all relevant times at least two City employees attended opening of tenders. The names of tenderers were immediately recorded in the City's Tender Register.	Cobus Botha
7	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	All tenders not submitted at the place and within the time specified in the invitation for tenders, were marked as such and rejected by the City.	Cobus Botha
8	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	All tenders not rejected were assessed by an evaluation panel by means of a written evaluation of the extent to which it satisfied the criteria for deciding which tender would be the most advantageous to accept.	Cobus Botha
9	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17.	Yes	See the City's Tender Register	Cobus Botha
10	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Yes	Except for tenders which are still under evaluation, notices advising particulars of the successful tenders or advising that no tender	Cobus Botha

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				was accepted were sent to each tenderer.	
11	F&G Reg 21 & 22	Did the local governments's advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22.	Yes	The only preliminary selection process under Reg 21 & 22 for this year was EOI 01-17 Manufacture and Installation of Busselton Foreshore Playspace	Cobus Botha
12	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	Under EOI 01-17 Manufacture and Installation of Busselton Foreshore Playspace the City rejected two expressions of interest that were not submitted at the place and within the time specified in the notice.	Cobus Botha
13	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		Cobus Botha
14	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		Cobus Botha
15	F&G Reg 24AD(2)	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice.	Yes	A copy of the Statewide public notice of each invitation to tender is included in the City's Tender Register.	Cobus Botha
16	F&G Reg 24AD(4) & 24AE	Did the local government's advertising and panel documentation comply with F&G Regs 24AD(4) & 24AE.	Yes	See copies of the Statewide public notices for each invitation to tender in the City's Tender Register.	Cobus Botha
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16 as if the reference in that regulation to a tender were a reference to a panel application.	Yes	All applications to join a panel of pre-qualified suppliers remained sealed until the closing time. Members of the public were at all times allowed to attend openings. At all relevant times at least two City employees attended opening of applications. The names of all applicants who lodged submissions were immediately recorded in the City's Tender Register.	Cobus Botha
18	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application, notice of the variation.	N/A	The City has not sought to vary any information supplied to the panel.	Cobus Botha
19	F&G Reg 24AH(1)	Did the local government reject the applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time specified in the invitation for	N/A	The City has not received any applications that were not submitted at the place, and within the	Cobus Botha

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**Local Government, Sport
and Cultural Industries**

		applications.		time specified in the invitation for applications.	
20	F&G Reg 24AH(3)	In relation to the applications that were not rejected, did the local government assess which application(s) to accept and which application(s) were most advantageous to the local government to accept, by means of written evaluation criteria.	Yes	All applications were assessed by means of pre-determined written evaluation criteria	Cobus Botha
21	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers, comply with the requirements of F&G Reg 24AG.	Yes	See the City's Tender Register.	Cobus Botha
22	F&G Reg 24AI	Did the local government send each person who submitted an application, written notice advising if the person's application was accepted and they are to be part of a panel of pre-qualified suppliers, or, that the application was not accepted.	Yes	These notices are recorded in the City's records management system.	Cobus Botha
23	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government comply with the requirements of F&G Reg 24E in relation to the preparation of a regional price preference policy (only if a policy had not been previously adopted by Council).	N/A	The City has given a regional price preference in relation to a number of tenders in accordance with its existing (previously adopted) Regional Price Preference Policy	Cobus Botha
24	F&G Reg 24F	Did the local government comply with the requirements of F&G Reg 24F in relation to an adopted regional price preference policy.	Yes	The City's existing Regional Price Preference Policy was adopted in accordance with F&G Regs 24E & 24F.	Cobus Botha
25	F&G Reg 11A	Does the local government have a current 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, \$150,000 or less.	Yes	The City's Purchasing Policy has been reviewed and up-dated in 2016 in accordance with the changes to the F&G Regs which came into effect on 1 October 2015.	Cobus Botha

I certify this Compliance Audit return has been adopted by Council at its meeting on _____

Signed Mayor / President, Busselton_____
Signed CEO, Busselton

7. GENERAL DISCUSSION ITEMS

8. NEXT MEETING DATE

TBA

9. CLOSURE