



City of Busselton
Geographe Bay

Audit Committee Agenda

24 February 2021

ALL INFORMATION AVAILABLE IN VARIOUS FORMATS ON REQUEST

city@busselton.wa.gov.au

CITY OF BUSSELTON

MEETING NOTICE AND AGENDA – 24 FEBRUARY 2021

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, 24 February 2021, commencing at 9.00am.

The attendance of Committee Members is respectfully requested.

DISCLAIMER

Statements or decisions made at Committee meetings 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 Committee meeting.



MIKE ARCHER

CHIEF EXECUTIVE OFFICER

19 February 2021

CITY OF BUSSELTON

AGENDA FOR THE AUDIT COMMITTEE MEETING TO BE HELD ON 24 FEBRUARY 2021

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1. **DECLARATION OF OPENING, ACKNOWLEDGEMENT OF COUNTRY 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 13 November 2020**

RECOMMENDATION

That the Minutes of the Audit Committee Meeting held 13 November 2020 be confirmed as a true and correct record.

6. REPORTS

6.1 2020 ANNUAL COMPLIANCE AUDIT RETURN

STRATEGIC GOAL	6. LEADERSHIP Visionary, collaborative, accountable
STRATEGIC OBJECTIVE	6.1 Governance systems, process and practices are responsible, ethical and transparent.
SUBJECT INDEX	Compliance Audit Return
BUSINESS UNIT	Governance Services
REPORTING OFFICER	Governance Coordinator - Emma Heys
AUTHORISING OFFICER	Director Finance and Corporate Services - Tony Nottle
NATURE OF DECISION	Legislative: adoption of “legislative documents” such as local laws, local planning schemes and local planning policies
VOTING REQUIREMENT	Absolute Majority
ATTACHMENTS	Attachment A 2020 Compliance Audit Return  

OFFICER RECOMMENDATION

That the Council, having received the 2020 Compliance Audit Return (Attachment A), adopt the 2020 Compliance Audit Return and authorises the Mayor and Chief Executive Officer to sign in joint the Certificate.

EXECUTIVE SUMMARY

The Compliance Audit Return (CAR) is a statutory reporting tool that evaluates the City’s compliance with targeted sections of the *Local Government Act 1995* (the Act) during the period 1 January 2020 to 31 December 2020.

The City has completed the 2020 CAR and it is included in this report (Attachment A) for the Audit Committee’s consideration. The 2020 CAR is recommended for adoption by Council, after which it will be lodged with the Department of Local Government, Sport and Cultural Industries (the Department), as required, by 31 March 2021.

BACKGROUND

Between 1 January 2021 and 31 March 2021, local governments are required to carry out an audit of compliance covering the period 1 January 2020 to 31 December 2020. The City’s responses to the 2020 CAR are to be reviewed by the Audit Committee and then adopted by Council. The certified CAR together with an extract of the Council Minutes of the meeting in which the 2020 CAR is adopted, is to be lodged with the Department via the online SmartHub portal by 31 March 2021.

OFFICER COMMENT

In completing the 2020 CAR, designated officers have undertaken an audit of the City’s activities, practices and procedures in line with the Act and associated Regulations.

The Audit results are summarised in the Table below:

Compliance Area	Number of Questions	Compliant
Commercial Enterprises by Local Government	5	YES - 100%
Delegation of Power/Duty	13	YES - 100%
Disclosures of Interest	21	YES - 100%
Disposal of Property	2	YES - 100%

Elections	3	YES - 100%
Finance	11	YES - 100%
Integrated Planning and Reporting	3	YES - 100%
Local Government Employees	6	YES - 100%
Official Conduct	4	YES - 100%
Tenders for Providing Goods and Services	24	YES - 100%
Optional Questions	10	COMPLETED

There are two optional questions where we have been unable provide a positive response. Optional Question #1 refers to Financial Management Regulation 5(2)(c) and whether the CEO reviewed the appropriateness and effectiveness of the local government's financial management systems and procedures within the three years prior to 31 December 2020. The City engages an independent Auditor to undertake its Financial Management Systems Review (FMSR) every three years. The FMSR was due to occur in November 2020. Due to COVID-19 however, the Auditor was unable to come down and complete the Audit. As opposed to doing the Audit internally, a decision was made to postpone the Audit to February 2021. The FMSR has since been completed.

Optional Question #9 refers to section 5.127 of the Act, requiring a local government (the CEO) to prepare a report detailing the training completed by Council Members in each financial year. This report is required to be published on the City's website within one month of the end of each financial year. This is the first year in which this requirement has been in place. A comprehensive list of the training undertaken by each Council Member has been published to the City's website since the 2019 Local Government Ordinary Elections, and officers were of the understanding this information met the requirements of section 5.127. A separate consolidated report (of the same information) has therefore not been compiled or published. A report is now available to view on the Elected Members Training page on the City's website and relevant governance procedures have been amended to ensure this requirement is met in the future.

Overall and on review, the 2020 CAR represents a high level of compliance by the City.

Statutory Environment

Section 7.13 of the *Local Government Act 1995* provides for the making of Regulations in regards to Audits.

Regulation 13 of the *Local Government (Audit) Regulations 1996* prescribes the statutory requirements for which the compliance audit is needed.

Regulations 14 and 15 state the following:

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 subregulation (3A), the compliance audit return is to be –

- (a) presented to council at a meeting of the council; and*
 - (b) adopted by council; and*
 - (c) recorded in the minutes of the meeting at which it is adopted.*
- 15. *Certified copy of compliance audit return and other documents to be given to Departmental CEO*
 - (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 Departmental CEO 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

There are no relevant plans or policies to consider in relation to this matter.

Financial Implications

There are no financial implications associated with the officer recommendation.

Stakeholder Consultation

The City has consulted with the Department of Local Government, Sport and Cultural Industries in relation to the impacts of COVID-19 on aspects of compliance, such as the completion of the FMSR. The Department have indicated that they understand COVID-19 will have had some impacts and that we should indicate where this is the case.

No other external stakeholder consultation was required or undertaken in relation to this matter.

Risk Assessment

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk management framework, with risks assessed taking into account any controls already in place. No risks of a medium or greater level have been identified.

Options

As an alternative to the proposed recommendation the Council may choose to request further information from officers prior to adopting the 2020 CAR. It is however a statutory requirement that the 2020 CAR is endorsed by Council and submitted to the Department prior to 31 March 2021.

CONCLUSION

It is recommended that the Council adopts the 2020 CAR for submission to the Department prior to 31 March 2021.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The 2020 CAR will be lodged with the Department prior to 31 March 2021.

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



Department of
Local Government, Sport
and Cultural Industries

Busseton - Compliance Audit Return 2020

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2020?	N/A	No such undertaking occurred in the reporting period.	Manager, Legal and Property Services
2	s3.59(2)(b) F&G Regs 7,8,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2020?	N/A	No such transaction occurred in the reporting period.	Manager, Legal and Property Services
3	s3.59(2)(c) F&G Regs 7,8,10	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 2020?	N/A	No such transaction occurred in the reporting period.	Manager, Legal and Property Services
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2020?	N/A	No such transactions or undertaking occurred in the reporting period.	Manager, Legal and Property Services
5	s3.59(5)	During 2020, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A		Manager, Legal and Property Services

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



Department of
Local Government, Sport
and Cultural Industries

Busseton - Compliance Audit Return 2020

Delegation of Power/Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16	Were all delegations to committees resolved by absolute majority?	YES		Manager, Governance and Corporate Services
2	s5.16	Were all delegations to committees in writing?	YES		Manager, Governance and Corporate Services
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	YES		Manager, Governance and Corporate Services
4	s5.18	Were all delegations to committees recorded in a register of delegations?	YES		Manager, Governance and Corporate Services
5	s5.18	Has council reviewed delegations to its committees in the 2019/2020 financial year?	YES	C1908/168 27 August 2019	Manager, Governance and Corporate Services
6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the Act?	YES		Manager, Governance and Corporate Services
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	YES		Manager, Governance and Corporate Services
8	s5.42(2)	Were all delegations to the CEO in writing?	YES		Manager, Governance and Corporate Services
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	YES		Manager, Governance and Corporate Services
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the council to amend or revoke a delegation made by absolute majority?	YES		Manager, Governance and Corporate Services
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	YES		Manager, Governance and Corporate Services
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2019/2020 financial year?	YES	C1908/168 27 August 2019	Manager, Governance and Corporate Services
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 in accordance with Admin Reg 19?	YES		Manager, Governance and Corporate Services

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



Department of
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Busseton - Compliance Audit Return 2020

Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	YES		Manager, Governance and Corporate Services
2	s5.68(2) & s5.69(5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by Admin Reg 21A, recorded in the minutes of the relevant council or committee meeting?	YES		Manager, Governance and Corporate Services
3	s5.73	Were disclosures under section sections 5.65, 5.70 or 5.71A(3) recorded in the minutes of the meeting at which the disclosures were made?	YES		Manager, Governance and Corporate Services
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	YES		Manager, Governance and Corporate Services
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2020?	YES		Manager, Governance and Corporate Services
6	s5.77	On receipt of a primary or annual return, did the CEO, or the mayor/president, give written acknowledgment of having received the return?	YES		Manager, Governance and Corporate Services
7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76?	YES		Manager, Governance and Corporate Services
8	s5.88(1) & (2)(b) 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, 5.71 and 5.71A, in the form prescribed in Admin Reg 28?	YES		Manager, Governance and Corporate Services
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76, did the CEO remove from the register all returns relating to that person?	YES		Manager, Governance and Corporate Services
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	YES		Manager, Governance and Corporate Services
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B, in the form prescribed in Admin Reg 28A?	YES		Manager, Governance and Corporate Services

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12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	YES		Manager, Governance and Corporate Services
13	s5.89A(6)	When a person ceases to be a person who is required to make a disclosure under section 5.87A or 5.87B, did the CEO remove from the register all records relating to that person?	YES		Manager, Governance and Corporate Services
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A(6) been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	YES		Manager, Governance and Corporate Services
15	Rules of Conduct Reg 11(1), (2) & (4)	Where a council member had an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person, did they disclose the interest in accordance with Rules of Conduct Reg 11(2)?	YES		Manager, Governance and Corporate Services
16	Rules of Conduct Reg 11(6)	Where a council member disclosed an interest under Rules of Conduct Reg 11(2) was the nature of the interest recorded in the minutes?	YES		Manager, Governance and Corporate Services
17	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	YES		Manager, Governance and Corporate Services
18	s5.71A & s5.71B(5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under s5.71A(1) relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A	No such application was made during the reporting period.	Manager, Governance and Corporate Services
19	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under subsection 5.71B(6) recorded in the minutes of the council meeting at which the decision was considered?	N/A	No such decision was made by the Minister in the reporting period.	Manager, Governance and Corporate Services
20	s5.103 Admin Regs 34B & 34C	Has the local government adopted a code of conduct in accordance with Admin Regs 34B and 34C to be observed by council members, committee members and employees?	YES		Manager, Governance and Corporate Services
21	Admin Reg 34B(5)	Has the CEO kept a register of notifiable gifts in accordance with Admin Reg 34B(5)?	YES		Manager, Governance and Corporate Services

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



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Disposal of Property					
No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) (unless section 3.58(5) applies)?	YES		Manager, Legal and Property Services
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		Manager, Legal and Property Services

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



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Busseton - Compliance Audit Return 2020

Elections					
No	Reference	Question	Response	Comments	Respondent
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors 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 forms relating to each candidate?	Yes	No elections were held in the reporting period, however the CEO established and maintained an electoral gift register in accordance with Regulation 30G(1) & (2)	Manager, Governance and Corporate Services
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years?	N/A	No elections were held in the reporting period.	Manager, Governance and Corporate Services
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with Elect Reg 30G(6)?	Yes	No elections were held in the reporting period, however the CEO maintained and published the Electoral Gift Register on the City's website in accordance with Regulation 30G(6)	Manager, Governance and Corporate Services

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



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Busseton - Compliance Audit Return 2020 - Finance

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		Manager, Financial Services
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority?	YES		Manager, Financial Services
3	s7.3(1) & s7.6(3)	Was the person or persons appointed by the local government to be its auditor appointed by an absolute majority decision of council?	YES		Manager, Financial Services
4	s7.3(3)	Was the person(s) appointed by the local government under s7.3(1) to be its auditor a registered company auditor or an approved auditor?	YES		Manager, Financial Services
5	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2020 received by the local government by 31 December 2020?	YES	Received by Council 25 November 2020, C2011/140	Manager, Financial Services
6	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, did the local government ensure that appropriate action was undertaken in respect of those matters?	YES		Manager, Financial Services
7	s7.12A(4)(a)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters?	N/A	No such matters were identified	Manager, Financial Services
8	s7.12A(4)(b)	Where the local government was required to prepare a report under s7.12A(4)(a), was a copy of the report given to the Minister within three months of the audit report being received by the local government?	N/A	No such report was required.	Manager, Financial Services
9	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under s7.12A(4)(b), did the CEO publish a copy of the report on the local government's official website?	N/A	No such report was required.	Manager, Financial Services
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives and scope of the audit, a plan for the audit, details of the remuneration and expenses paid to the auditor, and the method to be used by the local government to communicate with the auditor?	YES		Manager, Financial Services
11	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June received	YES	Completed by the Auditor 9 November	Manager, Financial Services

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



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by the local government within 30
days of completion of the audit?

2020 and received by
the Audit Committee
13 November 2020,
AU2011/045, received
by the Council 25
November 2020,
C2011/140

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Integrated Planning and Reporting					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	YES	The City's Strategic Community Plan 2017 was adopted on 12 April 2017 C1704/076 and underwent a minor review in 2019, C1904/070. The City's Strategic Community Plan 2021 is currently under view and will be adopted in the 2021 calendar year.	Manager, Governance and Corporate Services
2	Admin Reg 19DA(1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	YES	The City's Corporate Business Plan 2020-2024 was adopted 29 July 2020, C2007/077	Manager, Governance and Corporate Services
3	Admin Reg 19DA(2) & (3)	Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)?	YES		Manager, Governance and Corporate Services

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



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Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve a process to be used for the selection and appointment of the CEO before the position of CEO was advertised?	N/A	The position of the CEO was not advertised during the reporting period.	Manager, Governance and Corporate Services
2	s5.36(4) & s5.37(3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Admin Reg 18A?	N/A	No such positions were advertised during the reporting period.	Manager, Governance and Corporate Services
3	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A	The position of the CEO was not advertised during the reporting period.	Manager, Governance and Corporate Services
4	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4)?	N/A	The position of the CEO was not advertised during the reporting period.	Manager, Governance and Corporate Services
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	N/A	No senior employee was employed or dismissed during the reporting period.	Manager, Governance and Corporate Services
6	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A	No senior employee was employed or dismissed during the reporting period.	Manager, Governance and Corporate Services

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



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Busseton - Compliance Audit Return 2020 – Official Conduct

Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Has the local government designated a senior employee as defined by section 5.37 to be its complaints officer?	YES	The Director, Finance and Corporate Services, Mr. Tony Nottle has been appointed as the City's Complaints Officer.	Director, Finance and Corporate Services
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a)?	YES	While maintained appropriately, there is some conjecture around the outcomes when a finding was reached but overturned by the SAT. A decision was made not to publish these circumstances.	Director, Finance and Corporate Services
3	s5.121(2)	Does the complaints register include all information required by section 5.121(2)?	YES	Continuation of existing register and template.	Director, Finance and Corporate Services
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	YES	Continuation of existing register and template.	Director, Finance and Corporate Services

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



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Optional Questions					
No	Reference	Question	Response	Comments	Respondent
1	Financial Management Reg 5(2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with Financial Management Reg 5(2)(c) within the three years prior to 31 December 2020? If yes, please provide the date of council's resolution to accept the report.	NO	The 2020 FMSR was to occur in November 2020. Due to COVID-19 the independent Auditor was unable to attend. It was postponed to February 2021 and is currently being completed.	Manager, Financial Services
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Audit Reg 17 within the three years prior to 31 December 2020? If yes, please provide date of council's resolution to accept the report.	YES	Council adopted the report of Regulation 17 Review 10 June 2020, C2006/043	Manager, Governance and Corporate Services
3	s5.87C(2)	Where a disclosure was made under sections 5.87A or 5.87B, was the disclosure made within 10 days after receipt of the gift?	YES		Manager, Governance and Corporate Services
4	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B, did the disclosure include the information required by section 5.87C?	YES		Manager, Governance and Corporate Services
5	s5.90A(2)	Did the local government prepare and adopt by absolute majority a policy dealing with the attendance of council members and the CEO at events?	YES		Manager, Governance and Corporate Services
6	s.5.90A(5)	Did the CEO publish an up-to-date version of the attendance at events policy on the local government's official website?	YES		Manager, Governance and Corporate Services
7	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4)?	YES		Manager, Governance and Corporate Services
8	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	YES		Manager, Governance and Corporate Services
9	s5.127	Did the local government prepare a report on the training completed by council members in the 2019/2020 financial year and publish it on the local government's official website by 31 July 2020?	NO	A comprehensive list of the training undertaken by Elected Members was published to the City's website from October 2019. A report with this information was not	Manager, Governance and Corporate Services

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



Department of
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				published within a month of 31 July 2020. This has now been published to the City's website.	
10	s6.4(3)	By 30 September 2020, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2020?	YES		Manager, Financial Services

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



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Busseton - Compliance Audit Return 2020

Tenders for Providing Goods and Services					
No	Reference	Question	Response	Comments	Respondent
1	F&G Reg 11A(1) & (3)	Does the local government have a current purchasing policy that complies with F&G Reg 11A(3) in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250,000 or less or worth \$250,000 or less?	YES		Manager, Legal and Property Services
2	F&G Reg 11A(1)	Did the local government comply with its current purchasing policy in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	YES		Manager, Legal and Property Services
3	s3.57 F&G Reg 11	Subject to F&G Reg 11(2), did the local government invite tenders for all 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 F&G Reg 11(1)?	YES		Manager, Legal and Property Services
4	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with F&G Reg 14(3) and (4)?	YES		Manager, Legal and Property Services
5	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than a single contract?	N/A	The City did not enter into multiple contracts	Manager, Legal and Property Services
6	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		Manager, Legal and Property Services
7	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Regs 15 and 16?	YES		Manager, Legal and Property Services
8	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	YES		Manager, Legal and Property Services
9	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	N/A	All tenders were received at the place, and within the time, specified in the invitation to tender.	Manager, Legal and Property Services
10	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a	YES		Manager, Legal and Property Services

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		written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?			
11	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	YES		Manager, Legal and Property Services
12	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of F&G Regs 21 and 22?	YES		Manager, Legal and Property Services
13	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A	All expressions of interest were received at the place, and within the time specified.	Manager, Legal and Property Services
14	F&G Reg 23(3)	Were all expressions of interest that were not rejected assessed by the local government?	YES		Manager, Legal and Property Services
15	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 as an acceptable tenderer?	YES		Manager, Legal and Property Services
16	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with F&G Reg 24?	YES		Manager, Legal and Property Services
17	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with F&G Reg 24AD(4) and 24AE?	YES		Manager, Legal and Property Services
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?	YES		Manager, Legal and Property Services
19	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 pre-qualified supplier panel application?	YES		Manager, Legal and Property Services
20	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		Manager, Legal and Property Services
21	F&G Reg 24AH(1)	Did the local government reject any 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 applications?	N/A	All applications were received at the place, and within the time specified.	Manager, Legal and Property Services
22	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application	YES		Manager, Legal and Property Services

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		satisfies the criteria for deciding which application to accept?		
23	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	YES	Manager, Legal and Property Services
24	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of F&G Regs 24E and 24F?	YES	Manager, Legal and Property Services

7. **GENERAL DISCUSSION ITEMS**

8. **NEXT MEETING DATE**

9. **CLOSURE**