



**COMMITTEE ATTACHMENTS  
ORDINARY MEETING OF COUNCIL  
WEDNESDAY 18 MARCH 2020**

REPORT NUMBER	REPORT TITLE AND ATTACHMENT DESCRIPTION	PAGE NUMBER(S)
<b>10.1.1</b>	<b>Audit and Risk Committee: 11 March 2020 Compliance Audit Return 2019</b>  Attachments 1. "Unconfirmed" minutes from 11 March 2020	1 – 20





# NOT APPROVED



## Audit and Risk Committee Meeting

Wednesday 11 March 2020  
Commencing at 5p.30m

Held at the Council Chambers, 6177 Great Northern Highway, Bindoon



When the Chief Executive Officer approves these minutes for distribution they are in essence "Unconfirmed" until the following Chittering Audit & Risk Committee meeting, where the minutes will be confirmed subject to any amendments.

The "Confirmed" minutes are then signed off by the Presiding Member.

Attachments that formed part of the agenda, in addition to those tabled at the Chittering Audit & Risk Committee meeting are put together as an addendum to these Minutes.

#### UNCONFIRMED MINUTES

These Audit Committee minutes were approved for distribution on 18 March 2020

**Matthew Gilfellon**  
Chief Executive Officer

#### CONFIRMED MINUTES

These Audit Committee minutes were confirmed at the Chittering Audit Committee meeting held

on \_\_\_\_\_

**NOT APPROVED**

Signed \_\_\_\_\_

NOTE: the Chairperson at the meeting at which these minutes are confirmed is the person who signs above.

#### OBJECTIVES

The primary objective of the Chittering Audit & Risk Committee is to accept responsibility for the annual external audit and liaise with the local government's auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs.

Reports from the committee will assist Council in discharging its legislative responsibilities of controlling the local government's affairs, determining the local government's policies and overseeing the allocation of the local government's finances and resources. The committee will ensure openness in the local government's financial reporting and will liaise with the Chief Executive Officer to ensure the effective and efficient management of local government's financial accounting systems and compliance with legislation.

The committee is to facilitate:

- (a) the enhancement of the credibility of external financial reporting
- (b) compliance with laws and regulations as well as use of best practise guidelines relative to auditing
- (c) the provision of an effective means of communication between the external auditor, the Chief Executive Officer and the Council.

### TABLE OF CONTENTS

1.	DECLARATION OF OPENING OF MEETING / ANNOUNCEMENTS OF VISITORS.....	4
2.	RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE / ANNOUNCEMENTS.....	4
2.1	Attendance .....	4
2.2	Apologies.....	4
2.3	Approved leave of absence .....	4
3.	DISCLOSURE OF INTEREST.....	5
4.	PUBLIC QUESTION TIME .....	5
4.1	Response to previous public questions taken on notice.....	5
4.2	Public question time.....	5
5.	CONFIRMATION OF MINUTES: 16 DECEMBER 2019.....	5
6.	PURPOSE OF MEETING .....	6
6.1	Local Government Compliance Audit Return for 2019* .....	6
7.	CLOSURE.....	8

\* indicates separate attachments

**NOT APPROVED**





*Good evening Councillors, staff, ladies and gentlemen, we wish to acknowledge the traditional custodians of the land we are meeting on, the Yued people. We would like to pay respect to the Elders of the Nyoongar nation, past and present, who have walked and cared for the land, we acknowledge and respect their continuing culture, and the contributions made to this region.*

## 1. DECLARATION OF OPENING OF MEETING / ANNOUNCEMENTS OF VISITORS

The Chairperson opened at 5:31pm

## 2. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE / ANNOUNCEMENTS

### 2.1 Attendance

*The following members were in attendance:*

Cr Kylie Hughes	Chairperson
Cr Carmel Ross	
Cr John Curtis	
Cr John Davis	
Cr Mary Angus	

**NOT APPROVED**

*The following staff were in attendance:*

Jim Garrett	Executive Manager Technical Services
Paul Compe	Temporary Principal Planning Officer
Natasha Mossman	Executive Assistant (Minute Secretary)

*Members of the general public:*

Nil

### 2.2 Apologies

Matthew Gilfellow	Chief Executive Officer
Melinda Prinsloo	Executive Manager Corporate Services

### 2.3 Approved leave of absence

Cr Don Gibson  
Cr Peter Osborn

**3. DISCLOSURE OF INTEREST**

Nil

**4. PUBLIC QUESTION TIME****4.1 Response to previous public questions taken on notice**

Nil

**4.2 Public question time**

Nil

**5. CONFIRMATION OF MINUTES: 16 DECEMBER 2019**

<b>NOT APPROVED</b>	
OFFICER / COMMITTEE SECRETARY Moved Cr Ross / Seconded Cr Davis That the minutes of the Audit and Risk Committee Meeting held on Monday 16 December 2019 be confirmed as a true and correct record of proceedings.	<b>CARRIED 5/0</b> 5:32PM



## 6. PURPOSE OF MEETING

### 6.1 Local Government Compliance Audit Return for 2019

<b>Applicant</b>	Shire of Chittering
<b>File ref</b>	04/02/0002
<b>Prepared by</b>	Executive Assistant
<b>Supervised by</b>	Chief Executive Officer
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	1. Compliance Audit Return for 2019

#### Executive Summary

The Audit Committee is requested to review the Compliance Audit Return for 2019 and present to Council for adoption prior to 31 March 2019.

#### Background

Each local government is to carry out a Compliance Audit for the period 1 January to 31 December against certain requirements included within a Compliance Audit Return (CAR) provided by the Department of Local Government. The CAR, once completed, is to be presented to the Audit Committee and then a report is to be presented to Council for adoption of the return. A copy of the completed CAR is included as **Attachment 1**.

#### Consultation/Communication Implications

##### Local

Chief Executive Officer  
Executive Manager Technical Services

**NOT APPROVED**

##### State

Nil

#### Legislative Implications

##### State

Local Government Act 1995  
Local Government (Functions and General) Regulations  
Local Government (Administration) Regulations  
Local Government (Rules of Conduct) Regulations  
Local Government (Elections) Regulations  
Local Government (Audit) Regulations

##### Local

Nil

#### Policy Implications

##### State

Nil



Local

Nil

**Financial Implications**

Nil

**Strategic Implications**Local

Nil

State

Nil

**Site Inspection**

Not applicable

**Triple Bottom Line Assessment**Economic implications**NOT APPROVED**

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

**Officer Comment/Details**

The CAR for the 2019 calendar year has been completed by the Support Officer Governance. It is recommended that the Audit Committee review the CAR and recommend to Council that the CAR be adopted by Council at the next Ordinary meeting to be held on 18 March 2020.

**OFFICER / COMMITTEE RECOMMENDATION****Moved Cr Ross / Seconded Cr Curtis**

**That the Audit Committee reviews the Local Government Compliance Audit Return for the period 1 January 2019 to 31 December 2019 and presents to Council for adoption at the Ordinary Meeting of Council on 18 March 2020.**

**CARRIED 5/0**

5:40PM



## Attachment 1

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



Department of  
Local Government, Sport  
and Cultural Industries

## Chittering - Compliance Audit Return 2019

## 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 2019?	N/A		Michelle Nagel
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 2019?	Yes		Michelle Nagel
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 not exempt to entry into a major land transaction in 2019?	Yes		Michelle Nagel
4	s3.59(4)	Has the local government complied with public notice and publishing requirements of each proposal to commence a major trading undertaking or enter into a major land transaction for 2019?	Yes		Michelle Nagel
5	s3.59(5)	Did the Council, during 2019, resolve to proceed with each major land transaction or trading undertaking by absolute majority?	Yes		Michelle Nagel

**NOT APPROVED**



**AUDIT AND RISK COMMITTEE MEETING MINUTES**  
**11 MARCH 2020**

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



Department of  
**Local Government, Sport  
and Cultural Industries**

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?	N/A	There are no delegations assigned to committees	Michelle Nagel
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing?	N/A	There are no delegations assigned to committees	Michelle Nagel
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17?	N/A	There are no delegations assigned to committees	Michelle Nagel
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations?	N/A	There are no delegations assigned to committees	Michelle Nagel
5	s5.18	Has Council reviewed delegations to its committees in the 2018/2019 financial year?	N/A	There are no delegations assigned to committees	Michelle Nagel
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		Michelle Nagel
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority?	Yes	Resolved by Council on January 2019 by Absolute Majority	Michelle Nagel
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing?	Yes		Michelle Nagel
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes		Michelle Nagel
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority?	Yes		Michelle Nagel
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees?	Yes		Michelle Nagel
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 2018/2019 financial year?	Yes		Michelle Nagel
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		Michelle Nagel

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		Michelle Nagel
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		Michelle Nagel

2 of 12





AUDIT AND RISK COMMITTEE MEETING MINUTES  
11 MARCH 2020

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



Department of  
Local Government, Sport  
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
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		Michelle Nagel
4	s5.73	Where the CEO had an interest relating to a gift under section 5.71A(1), was written notice given to the Council?	N/A		Michelle Nagel
5	s5.73	Where the CEO had an interest relating to a gift in a matter in respect of a report another employee is providing advice on under section 5.71A (3), was the nature of interest disclosed when the advice or report was provided?	N/A		Michelle Nagel
6	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		Michelle Nagel
7	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		Michelle Nagel
8	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2019?	Yes		Michelle Nagel
9	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2019?	Yes		Michelle Nagel
10	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		Michelle Nagel
11	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		Michelle Nagel
12	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		Michelle Nagel
13	s5.89A Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under section 5.71A, in the form prescribed in Administration Regulation 28A?	Yes		Michelle Nagel
14	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		Michelle Nagel
15	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		Michelle Nagel



AUDIT AND RISK COMMITTEE MEETING MINUTES  
11 MARCH 2020

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



Department of  
Local Government, Sport  
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
16	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		Michelle Nagel
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		Michelle Nagel
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		Michelle Nagel
19	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members?	Yes		Michelle Nagel

**NOT APPROVED**

#### 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		Michelle Nagel
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		Michelle Nagel

#### Elections

No	Reference	Question	Response	Comments	Respondent
1	Elect Reg 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 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?	Yes	No gifts were declared	Michelle Nagel
2	Elect Reg 30G(3) & (4)	Did the CEO remove any 'disclosure of gifts' forms relating to an unsuccessful candidate or a successful candidate that completed the term of office from the electoral gift register, and retain those forms separately for a period of at least 2 years?	N/A		Michelle Nagel



AUDIT AND RISK COMMITTEE MEETING MINUTES  
11 MARCH 2020

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



Department of  
Local Government, Sport  
and Cultural Industries

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		Michelle Nagel
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?	N/A		Michelle Nagel
3	s7.3(1)	Was the person(s) appointed by the local government under s7.3(1) to be its auditor, a registered company auditor?	Yes		Michelle Nagel
4	s7.3(1), 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		Michelle Nagel
5	Audit Reg 10	Was the Auditor's report(s) for the financial year(s) ended 30 June received by the local government within 30 days of completion of the audit?	Yes		Michelle Nagel
6	s7.9(1)	Was the Auditor's report for the financial year ended 30 June 2019 received by the local government by 31 December 2019?			Michelle Nagel
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, did the local government, ensure that appropriate action was undertaken in respect of those matters?	Yes		Michelle Nagel
8	S7.12A (4)	Where the auditor identified matters as significant in the auditor's report (prepared under s7.9(1) of the Act), did the local government prepare a report stating what action had been taken or it intended to take with respect to each of the matters and give a copy to the Minister within 3 months after receipt of the audit report?	N/A		Michelle Nagel
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		Michelle Nagel
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit?	Yes		Michelle Nagel
11	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit?	Yes		Michelle Nagel





AUDIT AND RISK COMMITTEE MEETING MINUTES  
11 MARCH 2020

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



Department of  
Local Government, Sport  
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
12	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit?	Yes		Michelle Nagel
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		Michelle Nagel
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		Michelle Nagel

#### 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?	Yes	17 October 2018	Michelle Nagel
2	s5.56 Admin Reg 19DA (4)	Has the local government reviewed the Corporate Business Plan? If Yes, please provide date of most recent review was adopted at?	No		Michelle Nagel
3	s5.56 Admin Reg 19C	Has the local government adopted a Strategic Community Plan. If Yes, please provide adoption date of the most recent Plan in Comments?	Yes	21 June 2017	Michelle Nagel
4	s5.56 Admin Reg 19C (4)	Has the local government reviewed the current Strategic Community Plan. If Yes, please provide date of most recent review by Council in Comments.  Note: If the current Strategic Community Plan was adopted after 1/1/2016, please respond N/A and provide adoption date in Comments?	No	Reviewing 2020	Michelle Nagel
5	S5.56 Admin Reg 19DA (3)	Has the local government developed an Asset Management Plan(s) that covers all asset classes. If Yes, please provide the date of the most recent Plan adopted by Council in Comments?	Yes	November 2013	Michelle Nagel
6	S5.56 Admin Reg 19DA (3)	Has the local government developed a Long Term Financial Plan. If Yes, please provide the adoption date of the most recent Plan in Comments?	Yes	12 December 2018	Michelle Nagel
7	S5.56 Admin Reg 19DA (3)	Has the local government developed a Workforce Plan. If Yes, please provide adoption date of the most recent Plan in comments?	Yes	15 May 2013, reviewed 30 June 2015	Michelle Nagel



AUDIT AND RISK COMMITTEE MEETING MINUTES  
11 MARCH 2020

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



Department of  
Local Government, Sport  
and Cultural Industries

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?	Yes		Michelle Nagel
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		Michelle Nagel
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)?	Yes		Michelle Nagel
4	Admin Regs 18E	Did the local government ensure checks were in place to ensure the information in a proposal to employ or dismiss a designated senior employee was correct (applicable to CEO only)?	Yes		Michelle Nagel
5	s5.37(2)	Did the CEO inform Council of each proposal to employ or dismiss a designated senior employee?	N/A		Michelle Nagel

**NOT APPROVED**



AUDIT AND RISK COMMITTEE MEETING MINUTES  
11 MARCH 2020

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



Department of  
Local Government, Sport  
and Cultural Industries

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 Designated Complaints Officer	Michelle Nagel
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		Michelle Nagel
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		Michelle Nagel
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the council member about whom the complaint is made?	Yes		Michelle Nagel
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		Michelle Nagel
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)?	Yes		Michelle Nagel

**NOT APPROVED**





AUDIT AND RISK COMMITTEE MEETING MINUTES  
11 MARCH 2020

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



Department of  
Local Government, Sport  
and Cultural Industries

### 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 Local Government (Financial Management) Regulation 5 (2)(c) within the 3 years prior to 31 December 2019? If yes, please provide date of Council resolution in comments?	No		Michelle Nagel
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 Local Government (Audit) Regulation 17 within the 3 years prior to 31 December 2019? If yes, please provide date of Council resolution in comments?	No		Michelle Nagel
3	Financial Management Reg 5A.	Did the local government provide the annual report(s) tabled at an electors meeting(s) during calendar year 2019?			Michelle Nagel
4	S6.4(3)	Did the local government submit to its auditor by 30 September 2019 the balanced accounts and annual financial report for the year ending 30 June 2019?	Yes		Michelle Nagel

**NOT APPROVED**

### 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		Michelle Nagel
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		Michelle Nagel
3	F&G Reg 14(1) & (3)	Did the local government invite tenders via Statewide public notice?	Yes		Michelle Nagel
4	F&G Reg 14 & 15	Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16?	Yes		Michelle Nagel



AUDIT AND RISK COMMITTEE MEETING MINUTES  
11 MARCH 2020

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



No	Reference	Question	Response	Comments	Respondent
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?	N/A		Michelle Nagel
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		Michelle Nagel
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?	N/A		Michelle Nagel
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		Michelle Nagel
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 and the tender register is available for public inspection?	Yes	<b>NOT APPROVED</b>	Michelle Nagel
10	F&G Reg 19	Did the CEO give each tenderer written notice advising particulars of the successful tender or advising that no tender was accepted?	Yes		Michelle Nagel
11	F&G Reg 21 & 22	Did the local governments advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22?	Yes		Michelle Nagel
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?	N/A		Michelle Nagel
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?	N/A		Michelle Nagel
14	F&G Reg 24	Did the CEO give each person who submitted an expression of interest, a notice in writing in accordance with Functions & General Regulation 24?	N/A		Michelle Nagel
15	F&G Reg 24AC (1) & (2)	Has the local government established a policy on procurement of goods and services from pre-qualified suppliers in accordance with the regulations?	No		Michelle Nagel
16	F&G Reg 24AD(2)	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice?	N/A	Do not have a policy	Michelle Nagel
17	F&G Reg 24AD(4) & 24AE	Did the local government's advertising and panel documentation comply with F&G Regs 24AD(4) & 24AE?	N/A	Do not have a policy	Michelle Nagel

10 of 12



AUDIT AND RISK COMMITTEE MEETING MINUTES  
11 MARCH 2020

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



Department of  
Local Government, Sport  
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
18	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?	N/A	Do not have a policy	Michelle Nagel
19	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, given notice of the variation?	N/A	Do not have a policy	Michelle Nagel
20	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 applications?	N/A	Do not have a policy	Michelle Nagel
21	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? If so, did the local government evaluate the applications in writing?	N/A	Do not have a policy	Michelle Nagel
22	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?	N/A	Do not have policy	Michelle Nagel
23	F&G Reg 24AI	Did the CEO 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?	N/A	Do not have a policy	Michelle Nagel
24	F&G Reg 24E	Where the local government gave a regional price preference, did the local government comply with the requirements of F&G Reg 24E including the preparation of a regional price preference policy?	Yes		Michelle Nagel
25	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	Policy adopted by Council on 20 August 2014.	Michelle Nagel
26	F&G Reg 11A	Does the local government have a current purchasing policy that comply 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, \$150,000 or less?	Yes		Michelle Nagel



AUDIT AND RISK COMMITTEE MEETING MINUTES  
11 MARCH 2020

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



Department of  
Local Government, Sport  
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
27	F&G Reg 11A	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 is, or is expected to be \$150,000 or less or worth \$150,000 or less?	Yes		Michelle Nagel

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

\_\_\_\_\_  
Signed Mayor / President, Chittering

\_\_\_\_\_  
Signed CEO, Chittering

**NOT APPROVED**



**7. CLOSURE**

The Chairperson closed the meeting at 5:40pm

***NOT APPROVED***