



## **SPECIAL MEETING OF COUNCIL**

### **AGENDA**

**25 March 2021**



PO Box 42, 14 White Street, Brookton WA 6306



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## NOTICE OF MEETING

25 March 2021

14 White Street  
Brookton, WA 6306

Dear Councillor, Resident or Ratepayer,

Notice is hereby given that a Special Meeting of the Brookton Shire Council will be held on Thursday 25 March 2021 in the Council Meeting Room at the Shire Administration Centre commencing at 5.50pm.

The order of business includes:

1. 2020 Compliance Audit Return

**Ian D'Arcy**  
**CHIEF EXECUTIVE OFFICER**  
25 March 2021

### DISCLAIMER

*The recommendations contained in the Agenda are subject to confirmation by Council. The Shire of Brookton warns that anyone who has any application lodged with Council must obtain and should only rely on written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by the Council in respect of the application. No responsibility whatsoever is implied or accepted by the Shire of Brookton for any act, omission or statement or intimation occurring during a Council meeting.*

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### **1.03.21 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

On behalf of Council I would like to acknowledge that this meeting is being held on the traditional lands of the Nyoongar People and pay respect to all Elders, past, present and emerging. I wish to acknowledge and respect local people's continuing culture and the contribution they make to Country and it's life.

### **2.03.21 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**

### **3.03.21 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION**

### **4.03.21 DISCLOSURE OF INTERESTS**

***Members and Officers to declare Financial, Proximity or Impartiality Interests & submit forms to the Chief Executive Officer at the commencement of the meeting and also prior to the item.***

#### **Disclosure of Financial & Proximity Interests**

- a. Members must disclose the nature of their interest in matters to be considered at the meeting. (Sections 5.60B and 5.65 of the *Local Government Act 1995*).
- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 and 5.71 of the *Local Government Act 1995*).

#### **Disclosure of Interest Affecting Impartiality**

- a. Members and staff must disclose their interest in matters to be considered at the meeting in respect of which the member or employee has given or will give advice.

**5.03.21 2020 COMPLIANCE AUDIT RETURN**

<b>File No:</b>	ADM 0333
<b>Date of Meeting:</b>	25 March 2021
<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>Name of Owner:</b>	Shire of Brookton
<b>Author/s:</b>	Kellie Bartley – Manager Corporate and Community
<b>Authorising Officer:</b>	Ian D’Arcy – Chief Executive Officer
<b>Declaration of Interest:</b>	The author and authorising officer have no interest in this matter.
<b>Voting Requirements:</b>	Simple Majority
<b>Previous Report:</b>	Nil

**Summary of Item:**

This report relates to the Council’s adoption of the Shire of Brookton’s Annual Compliance Audit Return for 2020.

**Description of Proposal:**

To present to the Council the Annual Compliance Audit Return (CAR) 2020 for consideration and adoption. The CAR is to assist Council in monitoring its organisational functions and report to the Department of Local Government, Sport and Cultural Industries on its level of compliance.

**Background:**

On an annual basis respective Western Australia Local Governments are required under legislation to complete an annual CAR that largely represents a self-audit of the Shire’s compliance against specific regulations and standards. These statutory obligations are listed in Regulation 13 of the Local Government (Audit) Regulations, 1996. The compliance audit review considers the business of Council for a full calendar year, in this instance being from 1 January 2020 to 31 December 2020.

After the Compliance Audit Return has been presented to the Council at the March Special Council Meeting, a certified copy of the Return along with the relevant section of the minutes and any additional information explaining or qualifying the compliance audit is to be submitted to the Director General, Department of Local Government, Sport and Cultural Industries by 31<sup>st</sup> March 2021.

In consideration of the above process, the Audit and Risk Committee is to consider the CAR 2020, which now forms the basis of this report and recommendation to Council.

Pursuant to Regulation 14, each Local Government must complete a CAR against the checklist of statutory compliance issues included in the 2020 return. Once completed, the Compliance Audit Return is to be;

- (a) presented at a meeting of the Audit and Risk Committee;
- (b) presented to Council at the next available meeting (March 2021 Special Council Meeting);
- (c) subsequently adopted by the Council as an acceptance of the organisation’s compliance; and
- (d) the adoption recorded in the minutes of the meeting at which it is adopted.

The 2020 CAR focuses on the following areas of compliance:

1. Commercial Enterprises by Local Governments
2. Delegation of Power/Duty
3. Disclosure of Interest

4. Disposal of Property
5. Elections
6. Finance
7. Integrated Planning and Reporting
8. Local Government Employees
9. Official Conduct
10. Optional questions
11. Tenders for Providing Goods and Services

The process involves gathering responses to the 102 questions where two non-compliance points has been flagged with respect to the compliance within the section of disclosure of interests.

It has been identified that one primary return was lodged 7 days after the due date as required under legislation and one annual return has not been submitted within the schedule timeframe at all. All other areas are within the requirements for reporting on the CAR.

A copy of the Compliance Audit Return 2020 is provided at **Attachment 5.03.21A** for the Committee's reference.

**Consultation:**

Consultation has been undertaken with relevant officers in regard to compliance requirements being met, or not.

**Statutory Environment:**

The Council is obliged to complete and submit the Brookton Compliance Audit Return 2020 in accordance with the *Local Government Act 1995* and the *Local Government (Audit) Regulations 1996*.

- Section 7.13(1)(i) of the *Local Government Act, 1995* requires local governments to carry out, in the prescribed manner and in a form approved by the Minister an audit of compliance with statutory requirements prescribed in the *Local Government (Audit) Regulations, 1996*.
- Regulation 13 of the *Local Government (Audit) Regulations, 1996* details the statutory requirements that must be addressed within the compliance audit.
- Regulation 14 of the *Local Government (Audit) Regulations, 1996* specifies the requirement to undertake a compliance audit for the annual period 1 January to 31 December and the process by which the audit return is to be considered by Council.
- Regulation 15 of the *Local Government (Audit) Regulations 1996* details the actions to be taken to certify the audit return and to submit the return by 31 March following the period to which the return relates.

**Relevant Plans and Policy:**

Nil.

**Financial Implications:**

Nil.

**Risk Assessment:**

There is a risk that Council will be in breach of its statutory obligations should it not complete and adopt the Brookton - Compliance Audit Return 2020. Accordingly, it has been assessed that the level of risk is high.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

### Community & Strategic Objectives:

This proposal relates to delivery of core business and services detailed in the Shire of Brookton Corporate Compendium – May 2018, duly appended to the Next Generation BROOKTON Corporate Business Plan <2021.

Specifically, the CAR aligns to the following Business Unit and Function:

#### 1. Governance

##### 1.9 Maintain statutory compliance registers

### Comment

The Compliance Audit Return is seen as an internal control monitoring process and as such is a useful tool for the Chief Executive Officer to report the Audit Committee, and then on to Council and the Department of Local Government, Sport and Cultural Industries on performance against the Shire's statutory obligations.

In general, it has been assessed that the performance of the Shire of Brookton generally accords with the statutory compliance requirements under the *Local Government Act, 1995* and *Local Government (Audit) Regulations, 1996*.

### OFFICER AND AUDIT COMMITTEE RECOMMENDATION

#### **That Council:**

- Pursuant to Regulation 14(3) of the Local Government (Audit) Regulations 1996 adopts the Brookton– Compliance Audit Return 2020 for the period 1 January 2020 to 31 December 2020, as presented in Attachment 5.03.21A. of this report.***
- Forward a certified copy of the Shire of Brookton– Compliance Audit Return 2020 to the 'Executive Director' of the Department of Local Government, Sport and Cultural Industries in accordance with Regulation 15(1) of the Local Government (Audit) Regulations 1996.***

## **Attachments**

Attachment 5.03.21A





Department of  
Local Government, Sport  
and Cultural Industries

## Brookton - Compliance Audit Return 2020

### 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 the relevant minutes.

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		Kellie Bartley
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		Kellie Bartley
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		Kellie Bartley
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		Kellie Bartley
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		Kellie Bartley



Delegation of Power/Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16	Were all delegations to committees resolved by absolute majority?	N/A		Kellie Bartley
2	s5.16	Were all delegations to committees in writing?	N/A		Kellie Bartley
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	N/A		Kellie Bartley
4	s5.18	Were all delegations to committees recorded in a register of delegations?	N/A		Kellie Bartley
5	s5.18	Has council reviewed delegations to its committees in the 2019/2020 financial year?	N/A		Kellie Bartley
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		Kellie Bartley
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes	January Council Meeting 16.01.2020 Min Ref: OCM15.01.20.02	Kellie Bartley
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes		Kellie Bartley
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes		Kellie Bartley
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	August 20 Council Meeting Min Ref: OCM08.20.05	Kellie Bartley
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		Kellie Bartley
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	Delegation Register reviewed at January 2020 Council Meeting Min Ref: OCM01.20.17	Kellie Bartley
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		Kellie Bartley
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?	N/A		Kellie Bartley



No	Reference	Question	Response	Comments	Respondent
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?	N/A		Kellie Bartley
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		Kellie Bartley
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?	No	1 Elected Member submitted 7 days late	Kellie Bartley
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?	No	1 Elected Member did not submit within this time frame	Kellie Bartley
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		Kellie Bartley
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		Kellie Bartley
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		Kellie Bartley
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		Kellie Bartley
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		Kellie Bartley
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		Kellie Bartley
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		Kellie Bartley
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		Kellie Bartley



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No	Reference	Question	Response	Comments	Respondent
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		Kellie Bartley
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		Kellie Bartley
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		Kellie Bartley
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		Kellie Bartley
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		Kellie Bartley
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		Kellie Bartley
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	Adopted at December 2019 Council Meeting Elected Members - Min Ref: OCM12.19-17 Employees - Min Ref: OCM12.19-17	Kellie Bartley
21	Admin Reg 34B(5)	Has the CEO kept a register of notifiable gifts in accordance with Admin Reg 34B(5)?	Yes		Kellie Bartley



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)?	N/A		Kellie Bartley
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?	N/A		Kellie Bartley
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?	N/A		Kellie Bartley
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		Kellie Bartley
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)?	N/A		Kellie Bartley
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	Endorsed at 21 November 2019 Council Meeting Min Ref: OCM15,11,19,04	Kellie Bartley
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?	N/A	Advisory Only	Kellie Bartley
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?	N/A	Office of the Auditor General has been appointed	Kellie Bartley



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No	Reference	Question	Response	Comments	Respondent
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?	N/A	Appointed by Legislation	Kellie Bartley
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	OAG presented to 10 December 2020 Audit Committee	Kellie Bartley
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	Presented to the Audit Committee 10 December 2020 by the OAG	Kellie Bartley
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?	No	Final Report not yet received from OAG for the Shire to report to Council	Kellie Bartley
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?	No	Final Report not yet received from OAG for the Shire to report to Council	Kellie Bartley
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?	No	Final Report not yet received from OAG for the Shire to report to Council	Kellie Bartley
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?	N/A		Kellie Bartley
11	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June received by the local government within 30 days of completion of the audit?	Yes		Kellie Bartley



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	SCP adopted by Council 19 April 2018 Min Ref: OCM 04.18-13	Kellie Bartley
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	CBP adopted by Council 19 April 2018 Min Ref: OCM 04.18-13 Review CBP adopted by Council 19 November 2020 Min Ref: OCM11,20-08	Kellie Bartley
3	Admin Reg 19DA (2) & (3)	Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)?	Yes		Kellie Bartley
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		Kellie Bartley
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		Kellie Bartley
3	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A		Kellie Bartley
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		Kellie Bartley
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	N/A		Kellie Bartley
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		Kellie Bartley





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	CEO is appointed under Delegation Number 1.47	Kellie Bartley
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		Kellie Bartley
3	s5.121(2)	Does the complaints register include all information required by section 5.121(2)?	Yes		Kellie Bartley
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		Kellie Bartley
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.	Yes	Presented to Council 18 June 2020 Min Ref: OCM06,20-14 Included in the Office of Auditor General Annual and Interim audits	Kellie Bartley
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	Included in the Office of Auditor General Annual and Interim audits. Presented to quarterly Audit Committees in a Status report and supported by OAG,	Kellie Bartley
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		Kellie Bartley
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		Kellie Bartley
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	Endorsed by Council August 2020 Min Ref: OCM08,20-18 Council Policy 1.24	Kellie Bartley





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No	Reference	Question	Response	Comments	Respondent
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		Kellie Bartley
7	s.5.96A(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		Kellie Bartley
8	s.5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	No	Adopted by Council December 2020 Min Ref: OCM 12.19-20 Note: Adopted by Simple Majority vote however carried by 6/0 vote	Kellie Bartley
9	s.5.127	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?	Yes	Council Policy 1.6 reviewed by Council at December 2019 Min Ref: OCM07,20-12	Kellie Bartley
10	s.6.4(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		Kellie Bartley

#### 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	Council Policy 2,36	Kellie Bartley
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		Kellie Bartley
3	s.3.57 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)?	N/A	WALGA prequalified suppliers (Equotes system)	Kellie Bartley
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)?	N/A	WALGA prequalified suppliers (Equotes system)	Kellie Bartley



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No	Reference	Question	Response	Comments	Respondent
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	WALGA prequalified suppliers (Equotes system)	Kellie Bartley
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?	N/A	WALGA prequalified suppliers (Equotes system)	Kellie Bartley
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?	N/A	WALGA prequalified suppliers (Equotes system)	Kellie Bartley
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?	N/A	WALGA prequalified suppliers (Equotes system)	Kellie Bartley
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	WALGA prequalified suppliers (Equotes system)	Kellie Bartley
10	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	N/A	WALGA prequalified suppliers (Equotes system)	Kellie Bartley
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?	N/A	WALGA prequalified suppliers (Equotes system)	Kellie Bartley
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?	N/A	WALGA prequalified suppliers (Equotes system)	Kellie Bartley
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	WALGA prequalified suppliers (Equotes system)	Kellie Bartley
14	F&G Reg 23(3)	Were all expressions of interest that were not rejected assessed by the local government?	N/A	WALGA prequalified suppliers (Equotes system)	Kellie Bartley
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?	N/A	WALGA prequalified suppliers (Equotes system)	Kellie Bartley
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?	N/A	WALGA prequalified suppliers (Equotes system)	Kellie Bartley



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No	Reference	Question	Response	Comments	Respondent
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?	N/A	WALGA prequalified suppliers (Equotes system)	Kellie Bartley
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	WALGA prequalified suppliers (Equotes system)	Kellie Bartley
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?	N/A	WALGA prequalified suppliers (Equotes system)	Kellie Bartley
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?	N/A	WALGA prequalified suppliers (Equotes system)	Kellie Bartley
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	WALGA prequalified suppliers (Equotes system)	Kellie Bartley
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 satisfies the criteria for deciding which application to accept?	N/A	WALGA prequalified suppliers (Equotes system)	Kellie Bartley
23	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A	WALGA prequalified suppliers (Equotes system)	Kellie Bartley
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?	N/A	WALGA prequalified suppliers (Equotes system)	Kellie Bartley

I certify this Compliance Audit Return has been adopted by council at its meeting on \_\_\_\_\_

Signed Mayor/President, Brookton

Signed CEO, Brookton

<b>6.03.21</b>	<b>NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING</b>
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<b>7.03.21</b>	<b>CONFIDENTIAL REPORTS</b>
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<b>8.03.21</b>	<b>NEXT MEETING &amp; CLOSURE</b>
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The next Ordinary meeting of the Council will be held on 15 April 2021 commencing at 6.00 pm.