



# Shire of Dowerin

## Audit Committee Minutes

**23 FEBRUARY 2016**

COMMITTEE MEMBERS	REPRESENTING
Cr D.E. Metcalf	Shire of Dowerin
Cr A.J. Metcalf	Shire of Dowerin
Cr R.I Trepp	Shire of Dowerin
Gary Martin – CEO	Shire of Dowerin

## COMMITTEE TERMS OF REFERENCE (Precis)

1. The Audit Committee is to provide guidance and assistance to Council based on the following *Terms of Reference*:
  - 1.1 To carry out Council's functions in relation to audits carried out under Part 7 (Audit) of the Local Government Act 1995
  - 1.2 To develop a process to be used to select and appoint a person to be an Auditor.
2. The Audit Committee may also provide guidance and assistance to Council as to:
  - 2.1 Matters to be audited;
  - 2.2 The scope of audits;
  - 2.3 Council's functions under Part 6 (Financial Management) of the Local Government Act 1995; and
  - 2.4 The carrying out of Council's functions relating to other audits and other matters relating to financial management.
3. The Audit Committee may evaluate tenders received for the provision of audit services and report to Council with a recommendation for appointment of an auditor for the Shire of Dowerin.
4. Meeting cycle: At least once a year to recommend adoption of Annual Report.

**SHIRE OF DOWERIN**

**AGENDA FOR THE AUDIT COMMITTEE MEETING TO BE HELD ON 17 FEBRUARY 2016**

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**1. DECLARATION OF OPENING**

**2. ATTENDANCE**

Cr D. Metcalf

Cr A.J. Metcalf

Cr R.I. Trepp

Cr DP Hudson - Observer

G. Martin – Chief Executive Officer

S. King – Finance Manager

**3. ELECTION OF CHAIRPERSON**

The members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3 of the Local Government Act 1995 (S5.12 Local Government Act 1995).

The Chief Executive Officer conducted this election.

Chief Executive Officer, Gary Martin called for nominations for Chairperson.

Cr AJ Metcalf nominated Cr DE Metcalf and Cr RI Trepp seconded the nomination.

Cr DE Metcalf accepted the nomination and was appointed as Audit Committee Chairperson.

**4. DISCLOSURE OF INTEREST**

IMPORTANT: Committee members to complete a “Disclosure of Interest” form for each item on the agenda in which they wish to disclose a financial/proximity/impartiality interest. They should give the form to the Presiding Member before the meeting commences. After the meeting, the form is to be forwarded to the Administration Office for inclusion in the Corporate Financial Disclosures Register.

**5. CONFIRMATION OF MINUTES**

There are no minutes for confirmation as this is the inaugural meeting of the new Audit Committee. The minutes of the inaugural meeting will be confirmed at the first ordinary meeting of the committee.

**6. PRESENTATIONS**

Nil

## 7. AUDIT REPORTS

### 7.1 COMPLIANCE AUDIT RETURN 2015

Date:	15 February 2016
Applicant:	N/A
Location:	N/A
File Ref:	
Disclosure of Interest:	The author has conducted Compliance Audits for various local governments in the past as part of his consultancy service.
Author:	Gary Martin
Attachment:	2015 Compliance Audit Return

#### Summary

The Compliance Audit Return (CAR) is a statutory requirement. The Return for the 2015 calendar year is required to be completed and submitted to the Council prior to being submitted to the Department by the deadline of 31 March 2016.

#### Background

The CAR is a self audit Return located on the Department of Local Government and Communities website.

As a local government consultant, part of my normal service provision is to conduct independent CAR reviews on behalf of various local governments. The demand for independent reviews has dropped off in recent years due to the scope of the CAR being significantly reduced making it less cost effective to engage an independent person. However the author has considerable experience with such reviews over some 20 years. Without doubt the standard of compliance found in this review was most likely to be the worst, or one of the worst, I have experienced.

The conduct of the review has been a difficult process due to my acting CEO role and only being involved for the last two months of the applicable period, the standard of record keeping and lack of records, and overall disruption arising from the sudden resignation of the ex CEO on 29 October 2015.

The review found considerable non compliance and many key registers and records non existent, poorly maintained and generally incomplete or unsatisfactory. It is apparent that the ex CEO paid scant attention to the various statutory requirements and as a result exposed the Shire and individuals to severe penalties.

It is noteworthy that previous CAR's lodged by the Shire were also inaccurate and demonstrate that the review exercise was treated with disdain and items ticked as compliant with complete disregard to accuracy.

#### Comment

The register of delegations and the delegations are substandard, in some cases they are non statutory and urgently in need complete review and rewrite by the Council and the new CEO. The review should include reference to the relevant Local Government Guideline.

The disclosures of interest at Council meetings appears well managed and recorded in the minutes but the disclosures also need to be recorded in a register of disclosures. The register that purports to be register of disclosures shows that the last entry was dated 20 May 2003.

One ex elected member did not submit an annual return by the 31 August 2015.

Three new Councillors elected in October 2015 did not lodge a Primary Return required to be submitted within 3 months of their start date exposing them to severe penalties. However, it is clear that these new Councillors were never informed or provided with the returns and in fact the new Councillors were not provided with any form of induction whatsoever. Employee(s) with what purports to be a delegated power (which triggers the need to lodge a primary return) had not been notified in writing of the delegation or the requirement to submit a return. In any case the « delegations » were non statutory.

The Shire appointed Byfields as its auditor in 2014 but did not appoint a person(s) to be the Shire auditor, and no formal signed agreement has been located. It appears that the appointment was conveyed by email with reference to a letter to follow, but no such letter located. The terms of the audit contract require consideration of the RFQ, the response, and the Council decision.

Other key registers such as the Register of Notifiable Gifts and Official Complaints were non existent and the register of tenders was non compliant in key areas.

A parcel of land and house was sold by private treaty but no evidence was found of any formal valuation by a qualified valuer.

The extent of the breakdown in statutory compliance and the length of time involved demonstrates a fundamental weakness in the Council's normal reliance on its ex CEO to carry out his duties in an effective and proper manner, and then also be in the position to conduct the audit of compliance fairly and accurately. For this reason it is recommended that in future the Shire engage independent auditor(s) to conduct the Compliance Audit.

The review process has been difficult due to the lack of previous involvement and knowledge of the Shire's operations and affairs for 2015 and the lack of key registers and records. For this reason the recommendation to accept the CAR as accurate is subject to qualification to protect the author and the Council.

#### Consultation

Shire employees.

The Forensic Auditors.

#### Financial Implications

There are no direct financial implications arising from the review itself, however the breakdown in compliance, administration and record keeping is indicative of the overall breakdown in accountability and management. It is probable that some matters may arise in future as a result of the poor standard of management that has existed.

#### Policy Implications

The findings of the Compliance Audit Return together with the outcome of the Forensic Audit and Financial Management Review all confirm that the Shire has experienced a complete breakdown in compliance, probity and accountability by its most senior employee, the ex CEO Mr Dacre Alcock.

The reliance on the CEO and his statutory responsibility and his oversight of all other employees has created a significant weakness that allowed the breakdown in probity, compliance and management to occur.

The Council may wish to consider future policy positions, such as widening the scope of the annual audit and greater use of external resources to provide improved independent oversight of key accountabilities.

Statutory Implications

The completion of the CAR requires it to be submitted to the Council for ratification. The review found widespread non compliance contrary to the overall statutory requirement for the CEO to comply with all appropriate statute law, and to advise the Council accordingly.

Strategic Implications

The overall failure may have some short term implications for the implementation of the Shire's strategic objectives and projects, however it is expected that the the positive outcome will be a far greater level of compliance and management in future.

Voting Requirements

Simple majority

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**OFFICER/COMMITTEE RECOMMENDATION – ITEM 7.1**

Moved: Cr DE Metcalf

Seconded: Cr A Metcalf

Carried: 3/0

That Council:

1. Notes that due to the sudden resignation of the ex CEO Mr Dacre Alcock on 29 October 2015 and the requirement to appoint an Acting CEO Mr Gary Martin from the 9 November 2015, and the unique circumstances which exist, the preparation of the 2015 Compliance Audit Return for 2015 has been seriously adversely affected in regards to direct knowledge and poor records;
2. Notes that, in particular, the CEO has prepared, and the Council has considered the 2015 Compliance Audit Return to the best of its knowledge within those constraints and believes it to be true and correct; and
3. Adopts, with these qualifications, the Shire's 2015 Compliance Audit Return.

Department of Local Government and Communities - Compliance Audit Return



Government of Western Australia  
Department of Local Government and Communities

**Dowerin - Compliance Audit Return 2015**

<b>Commercial Enterprises by Local Governments</b>					
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 2015.	N/A		Sonia King
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 2015.	N/A		Sonia King
3	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2015.	N/A		Sonia King
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2015.	N/A		Sonia King
5	s3.59(5)	Did the Council, during 2015, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	N/A		Gary Martin

<b>Delegation of Power / Duty</b>					
No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	N/A		Gary Martin
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	N/A		Gary Martin
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	N/A		Gary Martin
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	N/A		Gary Martin
5	s5.18	Has Council reviewed delegations to its committees in the 2014/2015 financial year.	N/A		Gary Martin
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	The delegations recorded in the Register are generally meaningless and unsatisfactory.  A complete review of all delegations, appointments and authorisations is required with reference to LG Guideline 17.	Gary Martin



## MINUTES - AUDIT COMMITTEE MEETING – 23 FEBRUARY 2016

Department of Local Government and Communities - Compliance Audit Return



Government of Western Australia  
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No	Reference	Question	Response	Comments	Respondent
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes	The only "delegations" to the CEO noted were those carried forward in the "review" of delegations in October 2015. The process appears to have been a "renew" of delegations rather than any actual review.	Gary Martin
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	No	No example of any new delegation to the CEO in 2015 was noted.  No examples of any prior delegation to the CEO being conveyed in writing was noted.	Gary Martin
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	No	No example of any delegation to an employee in writing was noted.  It appears that "in writing" relied entirely on the records in the Register.	Gary Martin
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	N/A	No example noted in 2015	Gary Martin
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes	A file purports to be the "Register of Delegations" but contains a mix of appointments and authorities including under different "Acts".	Gary Martin
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 2014/2015 financial year.	No	21 October 2014  The "Review" appears to have been more of a "Renew" of existing delegations by the Council exercise.  There is no record of the CEO reviewing any delegation by him to another Officer.	Gary Martin
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.	No	No record of any exercise of a delegated power was sighted.	Gary Martin

### Disclosure of Interest

No	Reference	Question	Response	Comments	Respondent
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Department of Local Government and Communities - Compliance Audit Return



Government of Western Australia  
Department of Local Government and Communities

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		Gary Martin
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.	N/A	No example noted 2015	Gary Martin
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		Gary Martin
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	No	Three new Councillors elected October 2015. Ex CEO resigned 29 October 2015. No primary returns sighted in Register. No evidence of any acknowledgement. Enquiries will be made to ascertain from the members if they lodged a return. If not, returns will be lodged ASAP.	Gary Martin
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	Yes	Acting CEO started 9 November 2015. Primary return lodged shortly after. NOTE: Due to CCC seizing records from the CEO Office and subsequent disruption, the register itself has only just been located in an archive box.	Gary Martin
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2015.	No	A return for one member (not re-elected in October 2015) was not sighted in register nor an acknowledgment letter.	Gary Martin
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2015.	Yes	Employee(s) with purported delegation(s) have not been provided with written notice of the delegation(s) or the requirement to lodge returns. The purported delegations are non statutory and/or made under other legislation.	Gary Martin

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Department of Local Government and Communities - Compliance Audit Return



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No	Reference	Question	Response	Comments	Respondent
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	No	As in past years the ex CEO signed the acknowledgment letter himself, not the Shire President.	Gary Martin
9	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	Yes	The "Register" is poorly maintained.	Gary Martin
10	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	No	A record which purports to be the Register of Financial Interests disclosures located in the front of the File containing primary and annual returns is non compliant and the last entry is dated 20 May 2003.	Gary Martin
11	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	No	The ex CEO return was located in the register of returns.  The returns for the elected members whose terms ended October 2015 had been removed from the register but had not been filed and were found loose in an archive box.  The whereabouts of previously removed returns is not known.	Gary Martin
12	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	No	No record of previous returns removed from the register apart from the recent ex members was sighted.	Gary Martin
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	N/A	No example noted	Gary Martin
14	s5.70(2)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	Yes		Gary Martin

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## MINUTES - AUDIT COMMITTEE MEETING – 23 FEBRUARY 2016

Department of Local Government and Communities - Compliance Audit Return



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No	Reference	Question	Response	Comments	Respondent
15	s5.70(3)	Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	N/A		Gary Martin
16	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	No	The binder marked as Annual returns, Financial Disclosures and Gift register did not contain any register or record of any disclosure of a gift.	Gary Martin

### 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	Sale of 58 (Lot 7) Stacey Street Dowerin.	Gary Martin
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.	No	No evidence was found of any valuation being obtained by the Shire to support the consideration in the local public notice or Council decision.	Gary Martin

### Elections

No	Reference	Question	Response	Comments	Respondent
1	Elect Reg 30G (1)	Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the candidates.	No	No evidence was located on an electoral gift register.  Records of the 2015 election are almost non-existent.	Gary Martin

### 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	Committee appointed December 2015.  Previous reference to a "Finance and Audit" committee but no minutes sighted.	Gary Martin
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		Gary Martin

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No	Reference	Question	Response	Comments	Respondent
8	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	N/A	Refer item 7.	Gary Martin
9	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.	N/A	Refer item 7.	Gary Martin
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	No	2014.  No agreement sighted.  It is necessary to consider the RFQ, the company quotation and the Council decision.  An email dated 25 March 2014 from the CEO to the company advises they have been awarded the contract and a letter to follow. No letter sighted and no agreement sighted.	Gary Martin
11	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	No	2014  Note: No formal agreement with the audit company was located. It is necessary to refer to the RFQ, the quote and the Council decision.	Gary Martin
12	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	No	2014  Refer item 11	Gary Martin
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.	No	2014  Refer item 11	Gary Martin
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.	No	2014  Refer item 11	Gary Martin

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Department of Local Government and Communities - 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 the process to be used for the selection and appointment of the CEO before the position of CEO was advertised.	Yes		Gary Martin
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		Gary Martin
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	N/A	Appointment in 2016.	Gary Martin
4	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	N/A	Appointment in 2016	Gary Martin
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	N/A		Gary Martin

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.	No	No record sighted of any appointment as the Complaints Officer.	Gary Martin
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).	No	A register has now been created in 2016.	Gary Martin
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.	No		Gary Martin
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	No		Gary Martin
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.	No		Gary Martin
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).	No		Gary Martin

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## MINUTES - AUDIT COMMITTEE MEETING – 23 FEBRUARY 2016

Department of Local Government and Communities - Compliance Audit Return



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Tenders for Providing Goods and Services					
No	Reference	Question	Response	Comments	Respondent
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	N/A	The Shire used the WALGA equote system for major purchasing.	Gary Martin
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.	N/A		Gary Martin
3	F&G Reg 14(1) & (3)	Did the local government invite tenders via Statewide public notice.	N/A		Gary Martin
4	F&G Reg 14 & 15	Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16.	N/A		Gary Martin
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		Gary Martin
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.	N/A		Gary Martin
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		Gary Martin
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.	N/A		Gary Martin
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.	No	The Register of Tenders with prior years information is non compliant.  A compliant register has been created for 2016.	Gary Martin
10	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	N/A		Gary Martin
11	F&G Reg 21 & 22	Did the local governments's advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22.	N/A		Gary Martin

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Department of Local Government and Communities - Compliance Audit Return



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No	Reference	Question	Response	Comments	Respondent
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		Gary Martin
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		Gary Martin
14	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	N/A		Gary Martin
15	F&G Reg 24AD(2)	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice.	N/A		Gary Martin
16	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		Gary Martin
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16 as if the reference in that regulation to a tender were a reference to a panel application.	N/A		Gary Martin
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		Gary Martin
19	F&G Reg 24AH(1)	Did the local government reject the applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time specified in the invitation for applications.	N/A		Gary Martin
20	F&G Reg 24AH(3)	In relation to the applications that were not rejected, did the local government assess which application(s) to accept and which application(s) were most advantageous to the local government to accept, by means of written evaluation criteria.	N/A		Gary Martin
21	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers, comply with the requirements of F&G Reg 24AG.	N/A		Gary Martin
22	F&G Reg 24AI	Did the local government send each person who submitted an application, written notice advising if the person's application was accepted and they are to be part of a panel of pre-qualified suppliers, or, that the application was not accepted.	N/A		Gary Martin

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Department of Local Government and Communities - Compliance Audit Return



Government of Western Australia  
Department of Local Government and Communities

No	Reference	Question	Response	Comments	Respondent
23	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government comply with the requirements of F&G Reg 24E in relation to the preparation of a regional price preference policy (only if a policy had not been previously adopted by Council).	N/A		Gary Martin
24	F&G Reg 24F	Did the local government comply with the requirements of F&G Reg 24F in relation to an adopted regional price preference policy.	N/A		Gary Martin
25	F&G Reg 11A	Does the local government have a current purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$150,000 or less.	Yes	Yes. The policy is basic.	Gary Martin

**8. QUESTIONS FROM MEMBERS**

**9. URGENT BUSINESS**

Nil

**10. DATE OF NEXT MEETING**

Date: To be determined

Items for next meeting:

**11. CLOSURE OF MEETING**

The presiding member closed the meeting at 2.45pm.