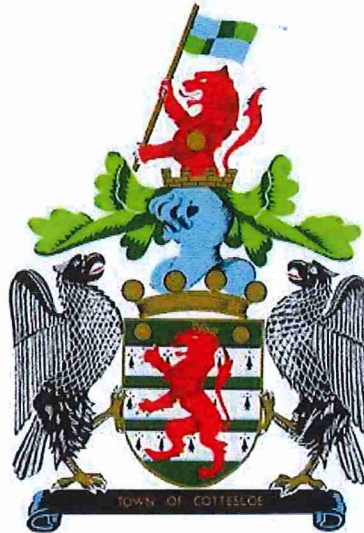


TOWN OF COTTESLOE



AUDIT COMMITTEE MINUTES

AUDIT COMMITTEE
HELD IN THE
Mayor's Parlour, Cottesloe Civic Centre
109 Broome Street, Cottesloe
5:30pm Tuesday, 23 March 2021

A handwritten signature in blue ink, appearing to read 'Matthew Scott', is written over a large, light blue oval shape.

MATTHEW SCOTT
Chief Executive Officer

26 March 2021

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1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member announced the meeting opened at 5:34pm and read the Acknowledgement of Country.

1.1 ACKNOWLEDGEMENT OF COUNTRY

I would like to begin by acknowledging the Whadjuk Nyoongar people, Traditional Custodians of the land on which we meet today, and pay my respects to their Elders past and present. I extend that respect to Aboriginal and Torres Strait Islander peoples here today.

2 DISCLAIMER

The Presiding Member drew attention to the Town's Disclaimer.

3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

4 ATTENDANCE**Members**

| | |
|--------------------|----------------|
| Cr Craig Masarei | Elected Member |
| Cr Paul MacFarlane | Elected Member |
| Cr Kirsty Barrett | Elected Member |

Officers

| | |
|---------------------|---|
| Mr Matthew Scott | Chief Executive Officer |
| Mr Shane Collie | Director Corporate and Community Services |
| Ms Ann-Marie Donkin | Corporate Services and Engagement Officer |

Visitors

Nil

Apologies

| | |
|----------------------------|---------------------------|
| Ms Suzanne Tuite | Community Representative |
| Mr Wayne Richards | Finance Manager |
| Ms Irene Wai Shan Au-Yeung | Assistant Finance Manager |

5 DECLARATION OF INTERESTS

Nil

6 CONFIRMATION OF MINUTES

AC004/2021

Moved Cr MacFarlane Seconded Cr Barrett

That the Minutes of the Audit Committee Meeting held on Monday 15 February 2021 be confirmed as a true and accurate record.

Carried 3/0

7 PRESENTATIONS

Nil

8 REPORTS

8.1 REPORTS OF OFFICERS

8.1.1 COMPLIANCE AUDIT RETURN 2020

File Ref: SUB/2791
Attachments: 8.1.1(a) Completed Compliance Audit Return 2020
[under separate cover]
Responsible Officer: Matthew Scott, Chief Executive Officer
Author: Shane Collie, Director Corporate and Community Services
Author Disclosure of Interest: Nil

SUMMARY

A recommendation is made to adopt the Compliance Audit Return for 2020 and authorise the Mayor and Chief Executive Officer to certify the Return so that it may be returned to the Department of Local Government by the due date of 31 March 2021.

BACKGROUND

Each year the Department of Local Government issues a Compliance Audit Return that covers a sample of legislative provisions required under the provisions of the *Local Government Act 1995*, which is required to be completed by staff and endorsed by Council prior to submission. The Compliance Audit Return was sought from the Department of Local Government some months ago however it was not received until after the most recent Audit Committee meeting. This did not permit that Committee to scrutinise the Return before being submitted to Council.

The Compliance Audit Return (CAR) covers 10 different categories and each category can have anywhere from 3 to 24 questions.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 6: Providing open and accountable local governance

Major Strategy 6.2: Continue to deliver high quality governance, administration, resource management and professional development.

This report is consistent with the Town's *Corporate Business Plan 2020 – 2024*.

POLICY IMPLICATIONS

There are no perceived policy implications arising from the officer's recommendation.

STATUTORY ENVIRONMENT

Local Government Act 1995

7.13 Regulations as to Audits

- (1) (i) *requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are –*
- (i) *of a financial nature or not; or*
- (ii) *under this Act or another written law.*
- (2) *Regulations may also make any provision about audit committees that may be made under section 5.25 in relation to committees.*

Local Government (Audit) Regulations 1996 - Regulations 14 and 15

14. Compliance audits by local governments

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

[Regulation 14 inserted in Gazette 23 Apr 1999 p. 1724-5; amended in Gazette 30 Dec 2011 p. 5580-1.]

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

- (1) *After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with –*
- (a) *a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
- (b) *any additional information explaining or qualifying the compliance audit,*
- is to be submitted to the Executive Director by 31 March next following the period to which the return relates.*
- (2) *In this regulation –*
- Certified in relation to a compliance audit return means signed by –*
- (a) *the mayor or president; and*
- (b) *the CEO.*

Local Government (Audit) Regulations 1996

FINANCIAL IMPLICATIONS

There are no perceived financial implications arising from the officer's recommendation.

STAFFING IMPLICATIONS

Nil.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

There are no perceived sustainability implications arising from the officer's recommendation.

CONSULTATION

Senior staff.

OFFICER COMMENT

The Compliance Audit Return for 2020 has been completed and it is recommended to Council for adoption and further, authorisation is sought from the Mayor and Chief Executive Officer to certify the Return so that it can be forwarded to the Department of Local Government and Communities.

Notwithstanding the extensive nature of the audit, there was only one area of non compliance located by officers. This was at Question 5 in the Finance area where the Audit Report was not received from the Auditor by 31 December in any given year. It is understood that the majority of local governments have been in this position this year due to a number of factors such as COVID 19, new Financial Management Regulations and the new involvement in the Audit Process by the Office of the Auditor General. These matters are outside of the Town's control.

Additionally as mentioned in the background to this report the Return was received late and after the last meeting of the Audit Committee. Therefore to comply with Local Government (Audit) Regulations 1996 Section 14 (3A) this Audit Committee has been called to recommend to Council the adoption of the Return to meet the required deadline.

VOTING REQUIREMENT

Simple Majority

AC005/2021**OFFICER AND COMMITTEE RECOMMENDATION**

Moved Cr Barrett Seconded Cr MacFarlane

That Council ADOPTS the 2020 Compliance Audit Return, noting the one area of non compliance – timing of the receipt of the Auditors Report, and authorise the Mayor and Chief Executive Officer to certify the Return so that it may be returned to the Department of Local Government and Communities by the due date of 31 March 2021

Carried 3/0

9 NEXT MEETING

To be advised.

10 MEETING CLOSURE

The Presiding Member announced the meeting closed at 5:37pm.

TOWN OF COTTESLOE



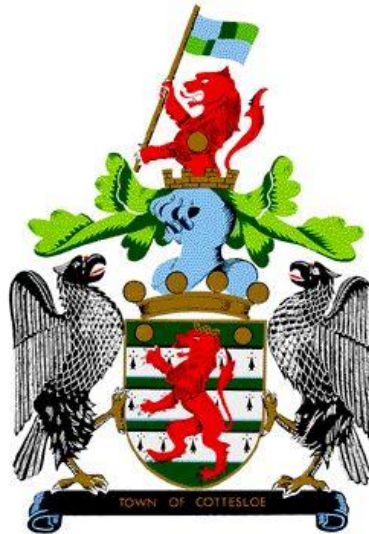
ATTACHMENTS

AUDIT COMMITTEE – 23 MARCH 2021

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TOWN OF COTTESLOE



AUDIT COMMITTEE

ATTACHMENT

ITEM 8.1.1A: COMPLETED COMPLIANCE AUDIT RETURN 2020

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



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

Cottesloe - 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 | | Ann-Marie Donkin |
| 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 | | Ann-Marie Donkin |
| 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 | | Ann-Marie Donkin |
| 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 | | Ann-Marie Donkin |
| 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 | | Ann-Marie Donkin |

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 | Were all delegations to committees resolved by absolute majority? | N/A | There are no delegations in place to committees. | Ann-Marie Donkin |
| 2 | s5.16 | Were all delegations to committees in writing? | N/A | | Ann-Marie Donkin |
| 3 | s5.17 | Were all delegations to committees within the limits specified in section 5.17? | N/A | | Ann-Marie Donkin |
| 4 | s5.18 | Were all delegations to committees recorded in a register of delegations? | N/A | | Ann-Marie Donkin |
| 5 | s5.18 | Has council reviewed delegations to its committees in the 2019/2020 financial year? | N/A | | Ann-Marie Donkin |
| 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 | | Shane Collie |
| 7 | s5.42(1) | Were all delegations to the CEO resolved by an absolute majority? | Yes | Delegated Authority Register Review 2019/2020- Adopted by Council Resolution 23 June 2020 (Item 10.1.2). | Ann-Marie Donkin |
| 8 | s5.42(2) | Were all delegations to the CEO in writing? | Yes | | Ann-Marie Donkin |
| 9 | s5.44(2) | Were all delegations by the CEO to any employee in writing? | Yes | | Shane Collie |
| 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 | Delegated Authority Register 2019/2020 amended by Council Resolution 22 September 2020 (Item 10.3.4). | Ann-Marie Donkin |
| 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 | | Ann-Marie Donkin |
| 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 | | Ann-Marie Donkin |
| 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 | | Shane Collie |
| Disclosure of Interest | | | | | |
| No | Reference | Question | Response | Comments | Respondent |
| 1 | s5.67 | Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter? | Yes | Example: OCM - 28 April 2020, Item 10.1.1 | Ann-Marie Donkin |

2 of 11

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



| 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 | | Ann-Marie Donkin |
| 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 | | Ann-Marie Donkin |
| 4 | s5.75 Admin Reg 22, Form 2 | Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day? | Yes | | Ann-Marie Donkin |
| 5 | s5.76 Admin Reg 23, Form 3 | Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2020? | Yes | | Ann-Marie Donkin |
| 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 | Acknowledgement of Receipt of Annual Return 2019-20 - TRIM Folder SUB/3089. | Ann-Marie Donkin |
| 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 | Primary and Annual Returns and Third Party Disclosure Database D20/8230. | Ann-Marie Donkin |
| 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 | Primary and Annual Returns and Third Party Disclosure Database D20/8230 | Ann-Marie Donkin |
| 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 | | Ann-Marie Donkin |
| 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 | | Ann-Marie Donkin |
| 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 | | Ann-Marie Donkin |
| 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 | | Ann-Marie Donkin |
| 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 | | Ann-Marie Donkin |

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



| 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 | | Ann-Marie Donkin |
| 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 | | Shane Collie |
| 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 | | Ann-Marie Donkin |
| 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 | | Ann-Marie Donkin |
| 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 | | Shane Collie |
| 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 | | Shane Collie |
| 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 | | Shane Collie |
| 21 | Admin Reg 34B(5) | Has the CEO kept a register of notifiable gifts in accordance with Admin Reg 34B(5)? | Yes | | Shane Collie |

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 | | Ann-Marie Donkin |
| 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 | | Ann-Marie Donkin |

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



Department of
Local Government, Sport
and Cultural Industries

| Elections | | | | | |
|-----------|-------------------------|---|----------|----------|------------------|
| No | Reference | Question | Response | Comments | Respondent |
| 1 | Elect Regs 30G(1) & (2) | Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate? | Yes | | Shane Collie |
| 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? | Yes | | Shane Collie |
| 3 | Elect Regs 30G(5) & (6) | Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with Elect Reg 30G(6)? | Yes | | Ann-Marie Donkin |

| 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 | Ongoing from appointment OCM - 29 October 2019. | Ann-Marie Donkin |
| 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 | No delegation to Audit Committee as per Committee Charter in TRIM ref: D19/35651 | Ann-Marie Donkin |
| 3 | s7.3(1) & s7.6(3) | Was the person or persons appointed by the local government to be its auditor appointed by an absolute majority decision of council? | Yes | Ernst Young is a registered company auditor to the Auditor General's website. | Ann-Marie Donkin |
| 4 | s7.3(3) | Was the person(s) appointed by the local government under s7.3(1) to be its auditor a registered company auditor or an approved auditor? | Yes | | Ann-Marie Donkin |
| 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? | No | Delays with OAG, new Financial Management Regulations and COVID caused it to be late | Shane Collie |
| 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? | N/A | | Shane Collie |

5 of 11

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 |
|----|-----------------|--|----------|----------|--------------|
| 7 | s7.12A(4)(a) | Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters? | N/A | | Shane Collie |
| 8 | s7.12A(4)(b) | Where the local government was required to prepare a report under s.7.12A(4)(a), was a copy of the report given to the Minister within three months of the audit report being received by the local government? | N/A | | Shane Collie |
| 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? | Yes | | Shane Collie |
| 10 | Audit Reg 7 | Did the agreement between the local government and its auditor include the objectives and scope of the audit, a plan for the audit, details of the remuneration and expenses paid to the auditor, and the method to be used by the local government to communicate with the auditor? | Yes | | Shane Collie |
| 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 | | Shane Collie |

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 | Adopted 25 July 2017 | Ann-Marie Donkin |
| 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 | Adopted 27 October 2020 Item 10.1.6 | Ann-Marie Donkin |
| 3 | Admin Reg 19DA (2) & (3) | Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)? | Yes | | Shane Collie |

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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 a process to be used for the selection and appointment of the CEO before the position of CEO was advertised? | Yes | | Shane Collie |
| 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? | Yes | | Shane Collie |
| 3 | Admin Reg 18E | Was all information provided in applications for the position of CEO true and accurate? | Yes | | Shane Collie |
| 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)? | Yes | | Shane Collie |
| 5 | s5.37(2) | Did the CEO inform council of each proposal to employ or dismiss senior employee? | Yes | | Shane Collie |
| 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 | | Shane Collie |

| 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 | | Shane Collie |
| 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 | | Ann-Marie Donkin |
| 3 | s5.121(2) | Does the complaints register include all information required by section 5.121(2)? | Yes | | Shane Collie |
| 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 | | Ann-Marie Donkin |

| Optional Questions | | | | | |
|--------------------|--|--|--|--|--|
| | | | | | |

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



| 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 | Council resolution 27/8/2019 | Ann-Marie Donkin |
| 2 | Audit Reg 17 | Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Audit Reg 17 within the three years prior to 31 December 2020? If yes, please provide date of council's resolution to accept the report. | Yes | Council resolution 27/8/2019 | Ann-Marie Donkin |
| 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 | | Shane Collie |
| 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 | | Shane Collie |
| 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 | OCM - 26 May 2020, Item 10.1.2 | Ann-Marie Donkin |
| 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 | | Ann-Marie Donkin |
| 7 | s5.96A(1), (2), (3) & (4) | Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4)? | Yes | | Shane Collie |
| 8 | s5.128(1) | Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members? | Yes | OCM - 28 April 2020, Item 10.1.2 | Ann-Marie Donkin |
| 9 | s5.127 | Did the local government prepare a report on the training completed by council members in the 2019/2020 financial year and publish it on the local government's official website by 31 July 2020? | Yes | Town of Cottesloe Elected Member Training Register is published on the Town's website - found under Registers | Ann-Marie Donkin |
| 10 | s6.4(3) | By 30 September 2020, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2020? | Yes | | Shane Collie |

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



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

| 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 | Amended 23 February 2021 | Rachel Cranny |
| 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 | | Rachel Cranny |
| 3 | s3.57 F&G Reg 11 | Subject to F&G Reg 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in F&G Reg 11(1)? | Yes | Tender Register 2020 | Rachel Cranny |
| 4 | F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4) | When regulations 11(1), 12(2) or 13 required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with F&G Reg 14(3) and (4)? | Yes | | Rachel Cranny |
| 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? | Yes | Tender Register 2020 | Rachel Cranny |
| 6 | F&G Reg 14(5) | If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer notice of the variation? | Yes | | Rachel Cranny |
| 7 | F&G Regs 15 & 16 | Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Regs 15 and 16? | Yes | | Rachel Cranny |
| 8 | F&G Reg 17 | Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website? | Yes | The register is available for public inspection but it is not up on our website. | Rachel Cranny |
| 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? | Yes | T08/2020 - Beach Access Path S15 - Tyrone Group were late with their submission | Rachel Cranny |

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Department of
Local Government, Sport
and Cultural Industries

| No | Reference | Question | Response | Comments | Respondent |
|----|---------------------------------|---|----------|-----------------|------------------|
| 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? | Yes | | Rachel Cranny |
| 11 | F&G Reg 19 | Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted? | Yes | | Rachel Cranny |
| 12 | F&G Regs 21 & 22 | Did the local government's advertising and expression of interest processes comply with the requirements of F&G Regs 21 and 22? | Yes | | Rachel Cranny |
| 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 | | Rachel Cranny |
| 14 | F&G Reg 23(3) | Were all expressions of interest that were not rejected assessed by the local government? | N/A | | Rachel Cranny |
| 15 | F&G Reg 23(4) | After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services as an acceptable tenderer? | Yes | | Rachel Cranny |
| 16 | F&G Reg 24 | Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with F&G Reg 24? | Yes | CEO & Directors | Rachel Cranny |
| 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 | | Ann-Marie Donkin |
| 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 | | Ann-Marie Donkin |
| 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 | | Ann-Marie Donkin |
| 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 | | Ann-Marie Donkin |

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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 |
|----|--------------------|---|----------|-----------------|------------------|
| 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 | | Ann-Marie Donkin |
| 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? | Yes | | Rachel Cranny |
| 23 | F&G Reg 24AI | Did the CEO send each applicant written notice advising them of the outcome of their application? | Yes | CEO & Directors | Rachel Cranny |
| 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 | | Rachel Cranny |

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

Signed Mayor/President, Cottesloe

Signed CEO, Cottesloe