



AUDIT AND ORGANISATIONAL RISK COMMITTEE MEETING

MINUTES

**The Audit and Organisational Risk Committee Meeting
was held in Meeting Room 4,
Welcome Road, Karratha,
on Monday, 20 March 2023 at 4.30pm**

**VIRGINIA MILTRUP
CHIEF EXECUTIVE OFFICER**



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Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee Meeting does so at that persons or legal entity's own risk.

In particular, and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a license, any statement or intimation of approval made by any member or Officer of the City of Karratha during the course of any meeting is not intended to be and is not taken as notice of approval from the City of Karratha.

The City of Karratha warns that anyone who has any application lodged with the City of Karratha must obtain and should only rely on

WRITTEN CONFIRMATION

of the outcome of the application, and any conditions attaching to the decision made by the City of Karratha in respect of the application.

Signed: _____
Virginia Miltrup - Chief Executive Officer

DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE) (updated 13 March 2000)

A member who has a **Financial Interest** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting or;
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (c) Preside at the part of the Meeting, relating to the matter or;
- (d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the Local Government Act 1995.

NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have a **Financial Interest** in a matter. I intend to include these notes in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
 - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the Local Government Act; or
 - 6.2 Where the Minister allows the Councillor to participate under s5.69 (3) of the Local Government Act, with or without conditions.

INTERESTS AFFECTING IMPARTIALITY

DEFINITION: *An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'.*

A member who has an **Interest Affecting Impartiality** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- (a) in a written notice given to the Chief Executive Officer before the Meeting; or
- (b) at the Meeting, immediately before the matter is discussed.

IMPACT OF AN IMPARTIALITY CLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

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AGENDA

1 OFFICIAL OPENING

The Meeting was officially opened at 4.36pm

2 RECORD OF ATTENDANCES AND APOLOGIES

Committee Members: Cr Peter Long
Cr Travis McNaught
Cr Daniel Scott

Staff:	Virginia Miltrup Phillip Trestrail Henry Eaton	Chief Executive Officer Director Corporate & Legal Services Manager Governance & Organisational Strategy
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Apologies:	Cr Garry Bailey Jodie Swaffer	Minute Secretary
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3 DECLARATIONS OF INTEREST

Nil

4 CONFIRMATION OF MINUTES AND BUSINESS ARISING FROM MINUTES OF PREVIOUS MEETINGS

OFFICER'S RECOMMENDATION / COMMITTEE RESOLUTION

Res No	:	AOR116
MOVED	:	Cr Scott
SECONDED	:	Cr McNaught

That the Minutes of the Audit and Organisational Risk Committee Meeting held on Monday, 21 March 2022, be confirmed as a true and correct record of proceedings.

CARRIED

FOR	:	Cr Long, Cr McNaught, Cr Scott
AGAINST	:	Nil

5 ITEMS FOR DISCUSSION

5.1 COMPLIANCE AUDIT RETURN 2022

File No:	FM.12
Responsible Executive Officer:	Director Corporate & Legal Services
Reporting Author:	Governance Officer - Compliance
Date of Report:	13 March 2023
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	Draft Compliance Audit Return 2022

PURPOSE

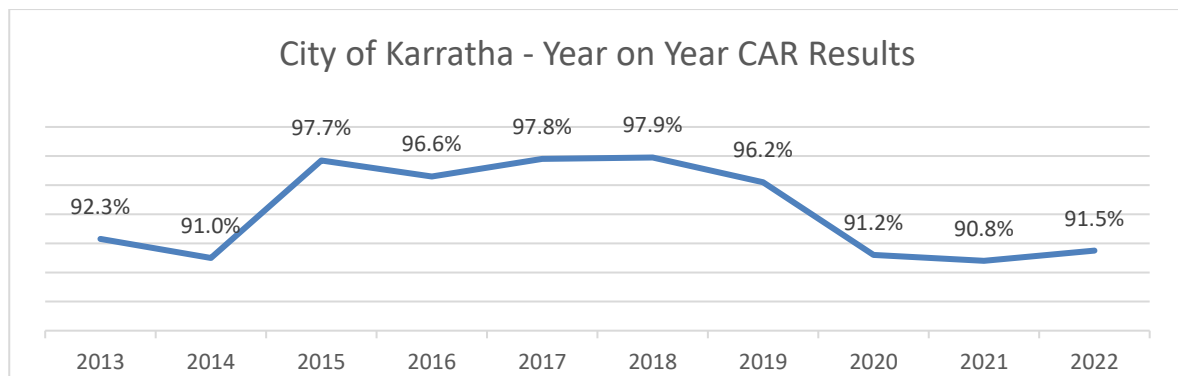
To consider the City's audit of compliance to inform the Compliance Audit Return (CAR) for the 2022 calendar year.

BACKGROUND

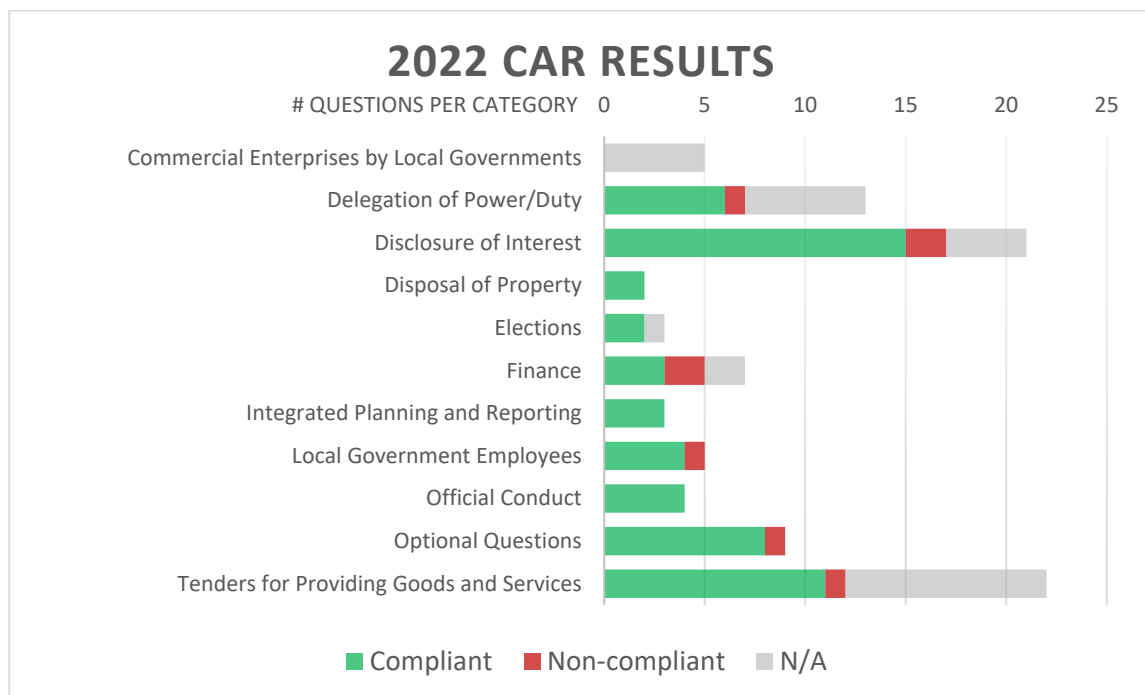
Each local government is required to submit a CAR for the preceding calendar year, by 31 March following review by the Audit and Organisational Risk Committee and adoption by Council. The CAR is submitted to the Department of Local Government, Sport and Cultural Industries (DLGSC) in a prescribed form and addresses statutory requirements in the following areas:

- a) Commercial Enterprises by local governments;
- b) Delegation of Power/Duty;
- c) Disclosure of Interest;
- d) Disposal of Property;
- e) Elections;
- f) Finance;
- g) Integrated Planning and Reporting;
- h) Local Government Employees;
- i) Official Conduct;
- j) Optional Questions; and
- k) Tenders for Providing Goods and Services.

As indicated below, historically the City has performed well with annual results for the CAR above 90%. In completing the internal review for the 2022 calendar year, 8 instances of non-compliance were identified against the 94 questions, resulting in a 91.5% compliance rate.



A summary of the results per category is provided below:



The 8 non-compliances relate to:

Delegation of Power/Duty

Question 9 – Two separate instances identified. In the first case an employee provided concession on fees without delegation. The second instance was an employee disposing of ageing property without delegation – employee had left the City prior to the matter being identified.

Disclosure of Interest

Question 5 – One annual return was not submitted by a relevant person by the due date of 31 August 2022. The employee had passed away prior to the due date.

Question 21 – A new draft employee code of conduct was under review and had not been posted on the City Website. This was subsequently completed on 12 January 2023.

Finance

Question 3 – The auditor's report for the financial year 2021/22 was not received by 31 December 2022.

Question 5 – One significant matter was identified in the 2020/21 audit report. This related to the CFO having ‘administrator’ access to Synergysoft. This access was considered necessary for operational requirements but was immediately removed during the audit review. This action was reported to the Department of Local Government on 1 April 2022 but was not reported to the Minister as it was resolved prior to completion of the Audit. Advice has since been provided to the Minister’s Office.

Local Government Employees

Question 1 – The advertising of the CEO vacancy was undertaken in accordance with legislative requirements, however the Director Development Services vacancy was not fully compliant as it was not advertised in the West Australian newspaper.

Optional Questions

Question 8 – A set of financial reports were available for audit prior to 30 September 2022 however the City was informed just prior to this date that the OAG was taking a different approach to that taken in previous years in relation to the treatment of landfill sites that required rework of the financial position.

Tenders for Providing Goods and Services

Question 10 – Of the 24 tenders completed in 2022, all tenderers received formal notification of the outcome. There were however four unsuccessful tender notifications that failed to provide sufficient information due to an administrative oversight. Three notifications for the same tender did not advise that none of the submissions received were accepted. The remaining notification did not provide particulars of the successful tenderer.

Each non-compliance was addressed and the City continues to review and improve its systems in order to reduce the risk of non-compliances occurring.

LEVEL OF SIGNIFICANCE

In accordance with Council Policy CG-8 Significant Decision Making Policy, this matter is considered to be of moderate significance in terms of Council’s ability to perform its role.

STATUTORY IMPLICATIONS

Regulations 13-15 of the *Local Government (Audit) Regulations 1996* provide for compliance audits.

The CAR is to be received and accepted by the Audit and Organisational Risk Committee and Council prior to a certified copy being submitted to the Department of Local Government by 31 March of each year.

COUNCILLOR/OFFICER CONSULTATION

Consultation has taken place with relevant City officers when preparing responses.

COMMUNITY CONSULTATION

No community consultation is required.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPLICATIONS

There are no financial implications.

STRATEGIC IMPLICATIONS

This item is relevant to the Council's approved Strategic Community Plan 2020-2030 and the Corporate Business Plan 2020-2025. In particular, the Operational Plan 2022-2023 provided for this activity:

Programs/Services:	4.e.1.2	Organisational Risk Management
Projects/Actions:	4.e.1.2.21.2	Complete the annual Compliance Audit Return

RISK MANAGEMENT CONSIDERATIONS

The level of risk to the City is considered to be as follows:

Category	Risk level	Comments
Health	N/A	Nil
Financial	N/A	Nil
Service Interruption	N/A	Nil
Environment	N/A	Nil
Reputation	Low	The CAR is utilised to inform the DLGSC and is not likely to have significant reputational implications unless major non-compliances are identified through the process.
Compliance	Moderate	The CAR provides an opportunity for self-assessment, to review current practices and identify any areas for operational improvement. Good systems and strong governance are in place to manage this risk.

IMPACT ON CAPACITY

There is no impact on capacity or resourcing to carry out the Officer's recommendation.

RELEVANT PRECEDENTS

The CAR is submitted to the Audit and Organisational Risk Committee and to Council prior to March 31 each year.

VOTING REQUIREMENTS

Simple Majority.

OPTIONS:Option 1

As per Officer's recommendation.

Option 2

That the Audit and Organisational Risk Committee by SIMPLE Majority pursuant to Regulation 14 of the *Local Government (Audit) Regulations 1996* DEFER consideration of the 2022 Compliance Audit Return pending further review, noting that submissions are due to the Department of Local Government, Sport and Cultural Industries by 31 March 2023.

CONCLUSION

Each local government is required to carry out an annual Compliance Audit Return in relation to the period 1 January 2022 to 31 December 2022. Overall, the audit indicates a compliance rate of 91.5% for the City, a slight improvement on 2021. Measures have been taken to rectify non-compliances and internal controls continue to be monitored to identify and address non-compliances as they occur. These systems continue to reflect a high level of compliance.

OFFICER'S RECOMMENDATION / COMMITTEE RESOLUTION

Res No : **AOR117**
MOVED : **Cr Scott**
SECONDED : **Cr McNaught**

That the Audit and Organisational Risk Committee:

- 1. RECEIVE the 2022 Compliance Audit Return; and**
- 2. PRESENT the 2022 Compliance Audit Return to Council for adoption prior to submission to the Department of Local Government, Sport and Cultural Industries by 31 March 2023.**

CARRIED

FOR : Cr Long, Cr McNaught, Cr Scott
AGAINST : Nil

6 ITEMS FOR INFORMATION ONLY

No reports

7 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

The Mayor requested a report on the safety of staff and patrons at City facilities in response to recent cases of patron violence, including the risks and mitigation.

COMMITTEE RESOLUTION

Res No : AOR118
MOVED : Cr Long
SECONDED : Cr McNaught

That the Audit and Organisational Risk Committee REQUEST a full report at the next Audit and Organisational Risk Committee meeting on the safety of staff and patrons at City facilities including the risks and mitigation.

CARRIED

FOR : Cr Long, Cr McNaught, Cr Scott
AGAINST : Nil

8 MATTERS BEHIND CLOSED DOORS

No reports.

9 CLOSURE & DATE OF NEXT MEETING

The meeting closed at 4.56PM.

The next meeting is scheduled to be held on Tuesday, 6 June 2023 at 3:00 pm in Council Chambers - Welcome Road, Karratha.

Karratha - Compliance Audit Return 2022

DRAFT 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 2022?	N/A		Josie Lanza
2	s3.59(2)(b) F&G Regs 7,8A, 8, 10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2022?	N/A		Josie Lanza
3	s3.59(2)(c) F&G Regs 7,8A, 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 2022?	N/A		Josie Lanza
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 2022?	N/A		Josie Lanza
5	s3.59(5)	During 2022, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A		Josie Lanza

Delegation of Power/Duty

No	Reference	Question	Response	Comments	Respondent
1	s5.16	Were all delegations to committees resolved by absolute majority?	N/A		Josie Lanza
2	s5.16	Were all delegations to committees in writing?	N/A		Josie Lanza
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	N/A		Josie Lanza
4	s5.18	Were all delegations to committees recorded in a register of delegations?	N/A		Josie Lanza
5	s5.18	Has council reviewed delegations to its committees in the 2021/2022 financial year?	N/A		Josie Lanza
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		Josie Lanza
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes	Delegation Register adopted by Council Resolution #155026 OCM 30/06/2022.	Josie Lanza
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes		Josie Lanza
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	No	Breaches were detected - employee provided concession on fees where a delegation did not exist. - employee provided a disposition of property where a delegation did not exist.	Josie Lanza
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	Delegation Register adopted by Council Resolution #155026 OCM 30/06/2022 by absolute majority.	Josie Lanza
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		Josie Lanza
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2021/2022 financial year?	Yes	Delegation Register adopted by Council Resolution #155026 OCM 30/06/2022.	Josie Lanza
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	Spot checks have been conducted on concession on fees and dispositions where a delegation exists. There were no instances where records were not detected in the City's record keeping systems.	Josie Lanza

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		Josie Lanza
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		Josie Lanza
3	s5.73	Were disclosures under section 5.65, 5.70 or 5.71A(3) recorded in the minutes of the meeting at which the disclosures were made?	Yes		Josie Lanza
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		Josie Lanza
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2022?	No	A relevant employee passed away from a terminal illness on 9 July 2022 and no return was submitted.	Josie Lanza
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		Josie Lanza
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		Josie Lanza

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		Josie Lanza
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		Josie Lanza
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		Josie Lanza
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		Josie Lanza
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		Josie Lanza
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 those people?	Yes		Josie Lanza
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		Josie Lanza
15	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		Josie Lanza
16	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		Josie Lanza
17	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		Josie Lanza
18	s5.104(1)	Did the local government prepare and adopt, by absolute majority, a code of conduct to be observed by council members, committee members and candidates within 3 months of the prescribed model code of conduct coming into operation (3 February 2021)?	Yes	Model Code of Conduct developed by WALGA adopted by Council Resolution #154784 OCM 27/04/2021.	Josie Lanza
19	s5.104(3) & (4)	Did the local government adopt additional requirements in addition to the model code of conduct? If yes, does it comply with section 5.104(3) and (4)?	Yes	Introduction of Complaint Investigation Policy. Adopted by Council Resolution #155078 OCM 19/09/2022.	Josie Lanza
20	s5.104(7)	Did the CEO publish an up-to-date version of the adopted code of conduct on the local government's website?	Yes		Josie Lanza
21	s5.51A(1) & (3)	Did the CEO prepare, and implement and publish an up-to-date version on the local government's website, a code of conduct to be observed by employees of the local government?	No	A new Employee Code of Conduct has been implemented on 12 January 2023 and is available on the City's website.	Josie Lanza

Disposal of Property					
No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) (unless section 3.58(5) applies)?	Yes		Josie Lanza
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	Yes		Josie Lanza
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		Josie Lanza
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		Josie Lanza

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		Josie Lanza
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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 members were appointed in October 2021 and members terms are for 2 years.	Josie Lanza
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		Josie Lanza
3	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2022 received by the local government by 31 December 2022?	No	OAG are finalising their audit review of the 2021/22 Annual Financial Report. The Auditors report for 2022 is expected to be presented soon.	Josie Lanza
4	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		Josie Lanza
5	s7.12A(4)(a) & (4) (b)	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? Was a copy of the report given to the Minister within three months of the audit report being received by the local government?	No	Significant matter was resolved at the time of the audit being undertaken. 'Administrator' access to Synergysoft was removed immediately from the CFO. Apart from notice to the Department of Local Government of the final audited documents being issued on 1 April 2022, there was no follow up report of resolution to the significant matter with the Minister's Office. Follow up occurred with the Minister's office on 3 February 2023 advising that the matter was now closed. OCR236204.	Henry Eaton
6	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under s7.12A(4)(b), did the CEO publish a copy of the report on the local government's official website?	N/A		Josie Lanza
7	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June 2022 received by the local government within 30 days of completion of the audit?	N/A	The auditors opinion for the 2020/21 Audit was issued on 8 March 2022 and the Audit and Organisational Risk Committee met on 21 March 2022 to discuss the outcomes and Council endorsed recommendations of the Audit and Organisational Risk Committee on 28 March 2022.	Josie Lanza

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	Strategic Community Plan 2020-2030 adopted by Council Resolution #154649 OCM 17/08/2020.□	Josie Lanza
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	Corporate Business Plan 2020-2025 adopted by Council Resolution #154649 OCM 17/08/2020. Updates also provided to Council on 30 June 2021 and 30 June 2022.	Josie Lanza
3	Admin Reg 19DA (2) & (3)	Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)?	Yes		Henry Eaton

Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	s5.36(4) & s5.37 (3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Admin Reg 18A?	No	Director Development Services advertised on Seek.com, Australian Jobs Directory & the City website on 3 March 2022. Investigations reveal that this position was not advertised in the West Australian newspaper, all other criteria was met. CEO position advertised in West Australian 25 June 2022 met the legislative requirements.	Kayla Harrison
2	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	Yes	Recruitment and vetting process conducted by external recruitment agency. To the best of our knowledge applications were true and accurate.	Josie Lanza
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 under section 5.36(4)?	Yes	Salary package in accordance with Salaries & Allowances Tribunal CEO Salary Determination	Kayla Harrison
4	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	Yes	No senior employees dismissed. Appointments were confirmed by Council at OCM on 26 April 2022 for Director Development Services and at the Special OCM on 16 August 2022 for the CEO and Acting CEO interim arrangements.	Kayla Harrison
5	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		Kayla Harrison

Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Has the local government designated an employee to be its complaints officer?	Yes	The CEO is authorised to received complaints. Where the complainant is the CEO, the Director Corporate Services is authorised to received complaints (under the Code of Conduct for Council Members, Committee Members and Candidates). Policy CG18 Compliant Investigation, adopted by Council September 2022. Resolution # 155078	Josie Lanza
2	s5.121(1) & (2)	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)? Does the complaints register include all information required by section 5.121 (2)?	Yes		Josie Lanza
3	s5.121(2)	Does the complaints register include all information required by section 5.121(2) of the Act?	Yes		Josie Lanza
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		Josie Lanza

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 the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c) within the three years prior to 31 December 2022? If yes, please provide the date of council's resolution to accept the report	Yes	Last review was undertaken in 2020 - Resolution #154699 OCM 16/11/2020	Josie Lanza
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Local Government (Audit) Regulations 1996 regulation 17 within the three financial years prior to 31 December 2022? If yes, please provide date of council's resolution to accept the report.	Yes	Last review was undertaken in 2020 - Resolution #154699 OCM 16/11/2020	Josie Lanza
3	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B, was the disclosure made within 10 days after receipt of the gift? Did the disclosure include the information required by section 5.87C?	Yes	One disclosure received where the gift exceeded the prescribed amount. Disclosure was made in accordance with the requirements.	Josie Lanza
4	s5.90A(2) & (5)	Did the local government prepare, adopt by absolute majority and publish an up-to-date version on the local government's website, a policy dealing with the attendance of council members and the CEO at events ?	Yes	Resolution #154647 OCM 17/08/2020. Next review due in 2023.	Josie Lanza
5	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		Josie Lanza
6	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	Most recent review by Council - Resolution #155043 OCM 25/07/2022	Josie Lanza
7	s5.127	Did the local government prepare a report on the training completed by council members in the 2021/2022 financial year and publish it on the local government's official website by 31 July 2022?	Yes	One Councillor however has failed to complete all mandatory training by the due date and no exemptions apply. This has been reported to the DLGSC.	Josie Lanza
8	s6.4(3)	By 30 September 2022, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2022?	No	A set of reports were available however the OAG had indicated a different approach to be taken towards the accounting of landfill sites that necessitated a rework of financial reports prior to 30 September 2022.	Henry Eaton Ray McDermott
9	s.6.2(3)	When adopting the annual budget, did the local government take into account all it's expenditure, revenue and income?	Yes		Josie Lanza

Tenders for Providing Goods and Services					
No	Reference	Question	Response	Comments	Respondent
1	F&G Reg 11A(1) & (3)	Did the local government comply with its current purchasing policy [adopted under F&G Reg 11A(1) & (3)] 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		Meggan Bridges
2	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		Meggan Bridges
3	F&G Regs 11(1), 11(1), 12(2) or 13 12(2), 13, & 14(1), (3), and (4)	When regulations 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		Meggan Bridges
4	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		Meggan Bridges

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?	Yes		Meggan Bridges
6	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		Meggan Bridges
7	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		Meggan Bridges
8	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		Meggan Bridges
9	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		Meggan Bridges
10	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the <input type="checkbox"/> successful tender or advising that no <input type="checkbox"/> tender was accepted? <input type="checkbox"/>	No	Of the 24 tenders completed in 2022, all Tenderers received formal notification of the outcome. There were however four unsuccessful tender notifications that failed to provide sufficient information due to an administrative oversight. Three notifications for the same tender, did not advise that of the submissions received, none were accepted. The remaining notification did not provide particulars of the successful tenderer. Each non-compliance was addressed. The City continues to review and improve its systems in order to reduce the risk of non-compliances occurring. <input type="checkbox"/>	Meggan Bridges
11	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		Meggan Bridges
12	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	No submissions were received for the one expression of interest advertised.	Meggan Bridges
13	F&G Reg 23(3) & (4)	Were all expressions of interest that were not rejected under F&G Reg 23 (1) & (2) assessed by the local government? Did the CEO list each person as an acceptable tenderer?	N/A		Meggan Bridges
14	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		Meggan Bridges
15	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	No applications to join a panel of pre-qualified suppliers were sought.	Meggan Bridges
16	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		Meggan Bridges
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 pre-qualified supplier panel application?	N/A		Meggan Bridges
18	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		Meggan Bridges
19	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		Meggan Bridges
20	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		Meggan Bridges
21	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A		Meggan Bridges
22	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of F&G Regs 24E and 24F?	Yes		Meggan Bridges