



NOTICE OF MEETING

Councillors: Please be advised that the next meeting of the

KULIN SHIRE COUNCIL

Audit & Risk Committee Meeting

**will be held on
Wednesday 16 March 2022
commencing at 1:00 pm**

A handwritten signature in black ink, appearing to read 'Garrick Yandle'.

Garrick Yandle
Chief Executive Officer
11 March 2022

DISCLAIMER

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

Please note this agenda contains recommendations, which have not yet been adopted by Council.

ORDER OF BUSINESS

- 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS)**
- 2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**
- 3 PUBLIC QUESTION TIME**
- 4 APPLICATIONS FOR LEAVE OF ABSENCE**
- 5 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**
 - 5.1 Audit & Risk Committee Meeting Minutes – July 2021 Attachment 1
 - 5.2 Audit & Risk Committee Meeting Minutes – February 2022 Attachment 2
- 6 MATTERS REQUIRING DECISION**
 - 6.1 DLGSC Response Regarding 2020-21 Financial Report
 - 6.2 Compliance Audit Return 2021 – Adoption Attachment 3
- 7 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 8 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
- 9 INFORMATION BULLETIN ITEMS**
- 10 DATE AND TIME OF NEXT MEETING**
- 11 CLOSURE OF MEETING**

6.1 DLGSC Response Regarding 2020-21 Financial Report

RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 12.05 Audit Return and Review
AUTHOR: CEO
STRATEGIC REFERENCE/S: Corporate Business Plan, Civic Leadership 4.1.1 a; CEO KRA 3.3 Financial Management, 3.5 Integrated Planning
DISCLOSURE OF INTEREST: Nil

SUMMARY:

The audit of the 2020/21 Annual Financial Report was finalised by the Office of the Auditor General (OAG) on 23 February 2022. The Annual Report was presented to the Audit Committee at a Special Council Meeting held at 10:48am on Wednesday 24 February 2022. The audit opinion described significant adverse trends and matters of non-compliance with the Local Government (Financial Management) Regulations 1996. These matters are discussed in detail below.

BACKGROUND & COMMENT:

Operating Surplus Ratio

In the Local Government Operational Guidelines Number 18 the Department described the Operating Surplus Ratio as a financial performance ratio which is a key indicator of a local government's financial sustainability.

The Operating Surplus Ratio is calculated by:

$$\frac{(\text{Operating Revenue}-\text{Operating Expenditure})}{\text{Own Source Revenue}}$$

This ratio is a measure of a local government's ability to cover its operational costs and have revenues available for capital funding or other purposes. A positive ratio indicates the percentage of total own source revenue available to help fund proposed capital expenditure, transfer to cash reserves or to reduce debt. A negative ratio indicates the percentage increase in total own source revenue (principally rates) that would have been required to achieve a break-even operating result.

Standard:

Basic Standard between 1% and 15% (0.01 and 0.15) Advanced Standard > 15% (>0.15).

Comment:

The depreciation expense posted each year has a significant impact on our operating result and we consistently post a loss based on this expense. As you can see in the table below, we were achieving the standard in 2015 prior to the first round of infrastructure valuations impacting depreciation.

	2021	2020	2019	2018	2017	2016	2015
Operating Surplus Ratio	(0.25)	(0.42)	(0.41)	(0.46)	(0.13)	(0.39)	0.051

Our infrastructure and property, plant and equipment assets were revalued on 30 June 2020. Depreciation rates were reviewed at this time and adjusted as necessary to ensure these were in line with the useful life of assets. It is a continual challenge meet this standard whilst depreciation of our infrastructure assets is included in the calculation.

Action:

We will continue to monitor depreciation rates to ensure the rates we are currently using are correct and to ensure that our depreciation isn't overstated.

Further to this, we will continue to review our larger outlays of maintenance type work which we expense during the year. From time to time, we make improvements to assets through a maintenance program and these expenditures are operating in nature rather than capital. When these expenditures are a genuine capital expense, they will be moved to the balance sheet rather than expensed through the operating statement. While this additional scrutiny (and any consequent change in expense classification) will have a positive impact on our net result, the impact will be minimal with regards to the Shire achieving the basic standard of this ratio.

STATUTORY ENVIRONMENT:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

AUDIT & RISK COMMITTEE RECOMMENDATION

That the Audit & Risk Committee recommend to Council that they accept the report of significant matters as presented in the Auditor's Report for the 2020/21 Annual Financial Report and authorising the CEO to prepare a letter to the Minister in response to the findings.

VOTING REQUIREMENTS:

Simple Majority.

6.2 Compliance Audit Return 2021 – Adoption

NAME OF APPLICANT: CEO
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 04.02 Local Government Act & Returns
STRATEGIC REFERENCE/S: CBP 4.1 Civic Leadership, 4.1.8 Compliance methods
AUTHOR: CEO
DISCLOSURE OF INTEREST: NIL

SUMMARY:

To present the Compliance Audit Return to the Audit and Risk Committee who adopt the report and make recommendation to Council.

BACKGROUND:

Each year all local governments across the State are required by legislation to undertake a compliance audit for the period 1 January to 31 December. This audit is performed against the requirements of the Compliance Audit Return prepared by the Department of Local Government covering the following business areas considered to be 'high risk':

- Commercial Enterprises by Local Government;
- Delegation of Power / Duty;
- Disclosure of Interest;
- Disposal of Property;
- Elections;
- Finance;
- Local Government Employees;
- Official Conduct; and
- Tendering for Providing Goods & Services

COMMENT:

The Audit and Risk Committee's consideration and endorsement of the Compliance Audit Return (addressing those areas identified as high risk) is required prior to the report being submitted to the Department of Local Government and Communities. A completed return for the year ended 31 December 2021 is due to the Department by the 31 March 2022.

Please note that the Risk and Audit Committee is required to review the completed CAR and report the results to the Council, prior to the CAR's adoption by Council and submission to the Department by 31 March 2022.

The Compliance Audit Return is attached for the Committee's and Council's consideration. Note the report was prepared by the CEO.

STATUTORY IMPLICATIONS:

Regulation 14 of the Local Government (Audit) Regulations 1996 provides:

- (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 15 provides that:

- (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,
 - (c) 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.

FINANCIAL IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

COMMUNITY STRATEGIC PLAN IMPLICATIONS:

Nil

That the Audit and Risk Committee consider the Officer's recommendation and make recommendation to the Council.

COMMITTEE RECOMMENDATION:

That the Audit and Risk Committee recommend to Council that;

1. Note the recommendations and comments of the Audit Committee as detailed;
2. Council adopt the Compliance Audit Return 2021, as presented;
3. The Chief Executive Officer and the Shire President be authorised to sign the Compliance Audit Return 2021;
4. Endorse the return for submission to the Department of Local Government, Sport and Cultural Industries by 31 March 2022.

VOTING REQUIREMENTS:

Absolute Majority Required

Attachment – Compliance Audit Return 2021

Minutes of an Audit & Risk Committee Meeting of Council held in the Council Chambers on Wednesday 28 July 2021 commencing at 12:43pm

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Cr West declared the meeting open at 12:43pm

Greg Goodwin – Moore Australia

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Attendance

BD West	President	West Ward
G Robins	Deputy President	Town Ward
J Noble	Councillor	Town Ward
R Bowey	Councillor	Town Ward
L Varone	Councillor	East Ward
B Smoker	Councillor	West Ward
RD Duckworth	Councillor	West Ward
MS Lucchesi	Councillor	Central Ward
G Yandle	Chief Executive Officer	
C Vandenberg	Deputy Chief Executive Officer	
F Jasper	Executive Support Officer	

Apologies

Nil

3. PUBLIC QUESTION TIME

4. APPLICATIONS FOR LEAVE OF ABSENCE

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

5.1 Audit & Risk Committee Meeting 16 June 2021

6. MATTERS REQUIRING DECISION

6.1 Financial Management Review 2021

6 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

7 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

8 INFORMATION BULLETIN ITEMS

9 DATE AND TIME OF NEXT MEETING

10 CLOSURE OF MEETING

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

5.1 Audit & Risk Committee Meeting Minutes 16 June 2021

A1/0721

Moved Cr Duckworth Seconded Cr Robins that the minutes of the Audit and Risk Committee Meeting held on 16 June 2021 be received.

Carried 8/0

6. MATTERS REQUIRING DECISION

6.1 Financial Management Review 2021

NAME OF APPLICANT: Shire of Kulin
FILE REFERENCE: 12.03
STRATEGIC REFERENCE/S:
AUTHOR: DCEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

A review of the appropriateness and effectiveness of the financial management systems and procedures of the Shire must be undertaken ("Financial Management Review"), not less than once every three years. Moore Australia, audit consultants, were engaged to conduct this review in accordance with Section 5(2)(c) of the Local Government (Financial Management) Regulations 1996 (as amended).

BACKGROUND:

The Local Government (Financial Management) Regulations 1996 regulation 5(2)(c), requires the Chief Executive Officer to undertake Financial Management Reviews regularly (and not less than once in every three years). The main purpose of a Financial Management Review (FMR) is to examine the appropriateness and effectiveness of the financial management systems and procedures of the Shire.

The following reviews were undertaken to evaluate the appropriateness and effectiveness of financial management system:

System	Description of Procedures Performed
Purchases, payments and payables (including purchase orders)	A sample of payment transactions was selected and tested to determine whether purchases were authorised/budgeted, and payments were supported, certified/authorised and correctly allocated. The Shire's purchases, payments and payables system was also examined to determine if adequate controls were in place in ensuring liabilities are properly recorded and payments are properly controlled.
Receipts and Receivables	The Shire's end of day banking procedures were examined to determine if they were adequate in ensuring cash collections are being recorded and allocated properly to the general ledger. Detailed testing of a sample of receipts was performed. This included tracing to individual receipt detail, bank deposits, general ledger and bank statements to ensure banking was correctly performed.
Payroll	Detailed testing of a sample of individual employees was selected from different pay runs and for each employee's pay the following tests were performed to help ensure: <ul style="list-style-type: none"> the employee existed; the correct rate of pay was used; time sheets were properly completed and authorised; hours worked were properly authorised; and allocations were reasonable and correctly posted. We also tested the first pay of a sample of new employees and the last pay of a sample of terminated employee. The Shire's payroll system was also reviewed to determine if adequate controls were in place to help ensure wages and salaries are properly processed and payments are properly controlled.
Rates	The Shire's rating procedures were examined to determine if they were adequate in

MINUTES OF AUDIT & RISK COMMITTEE MINUTES 16 JUNE 2021

	<p>ensuring rates were being imposed or raised correctly. This also included inspection of the rate record, rate notices, instalment notices, valuation reconciliations and general ledger.</p> <p>We selected a sample of rate notices, instalment rate notices and interim rate notices for the period under review. This included:</p> <ul style="list-style-type: none"> • re-performing the calculations on the rate notices; • ascertaining whether the valuations applied agree to Landgate's valuation roll/report and rates per dollar imposed are as per adopted budget; • ensuring the rate system is properly updated; and • checking proper posting to the general ledger.
Bank Reconciliations	<p>An examination of bank reconciliations and procedures for the period under review to ensure they are up to date as well as being prepared regularly and promptly for all bank accounts.</p>

System	Description of Procedures Performed
Trust Funds	Trust funds held by the Shire were examined through testing a sample of receipts and refunds to determine proper accountability in the Shire's financial management system and compliance with regulatory requirements.
Fees & Charges	Fees and Charges were examined to determine if they were correctly charged as per the budget. Detailed testing of a sample of fees and charges was performed. This included tracing to receipts, the adopted fees and charges schedule and the general ledger to ensure they were correctly charged, and their allocation/posting was correctly performed.
Cost and Administration Allocations	The Shire's cost and administration allocations system was examined to determine if indirect costs have been properly allocated to various jobs/programs. This included review of the allocation basis and rates used to ensure they are appropriate and regularly reviewed.
Minutes & Meetings	Council and Committee meeting minutes were reviewed to ensure compliance with procedures and protocols.
Financial Reports	<p>A review of the Shire's systems and procedures over the annual financial report and monthly financial reports was performed to determine if:</p> <ul style="list-style-type: none"> • Structured reporting processes are in place and being properly managed; • Reports are properly constructed based balanced trial balances; • Reports include all relevant and necessary details as required for proper financial/management reporting purposes; • Monthly reports with variance analysis are presented to Council for adoption in a timely manner; and • The annual financial report has been prepared in accordance with the <i>Local Government Act 1995</i>. <p>We have also checked to ensure the annual financial report has been adopted by Council and lodged with the Department of Local Government, Sport and Cultural Industries within the statutory timeframe.</p>
Budget	<p>The Shire's budgetary system and procedures were examined to determine if:</p> <ul style="list-style-type: none"> • A structured process is in place and being managed properly; • The Budget is properly constructed and based on reasonable assumptions in line with the Shire's strategic documents; and • The Budget includes all relevant and necessary details and was properly adopted. <p>We have also checked whether the annual budget and the budget review documents have been lodged with the Department of Local Government, Sport and Cultural Industries within the statutory timeframe.</p>
Plan for the Future	The Long Term Financial Plan which includes the Strategic Community Plan and Corporate Business Plan was reviewed to comply with the respective regulations.
Fixed assets (including depreciation, acquisition, and disposal of property)	<p>The fixed assets system including controls over acquisition and disposal of assets, updating of the fixed assets register, depreciation of fixed assets and reconciliation of the fixed assets register to the general ledger was examined.</p> <p>A sample of asset additions and disposals was selected and testing performed to ensure:</p> <ul style="list-style-type: none"> • tax invoices existed; • correct posting to the general ledger; • fixed assets register was promptly updated; and • classification of assets was correct. <p>In addition, a sample of assets was selected and testing performed to ensure the depreciation rates used are in line with the Shire's accounting policy.</p>
Registers (including Annual and Primary Returns)	<p>Financial Interest Register The register was examined to ensure compliance with regulatory requirements.</p> <p>Tender Register The Shire's tender process was reviewed to determine if adequate controls were in place to ensure the tendering of goods and services is being managed properly. This included walking through a sample of tenders selected for review from inception through to award of tender against the tender register, minutes and relevant supporting documentation.</p>
Delegations	The register was examined to ensure compliance with regulatory requirements.
Audit Committee	The Shire's establishment of its audit committee and the constituted membership was examined by us and considered satisfactory.

MINUTES OF AUDIT & RISK COMMITTEE MINUTES 16 JUNE 2021

System	Description of Procedures Performed
Insurance	Discussions with staff and review of policy documents to confirm policies are current and evidence exists to suggest an annual review of insurance risks occurs.
Borrowings	A review of the Shire's controls and procedures over borrowings was performed to determine if borrowings were properly recorded and managed.
Inventory/Stock	A review of the Shire's controls and procedures over inventory was performed to determine if inventory was properly recorded and managed.
Storage of Documents / Record keeping and IT Controls	The Shire's record keeping / storage system and IT general control environment surrounding its information systems (such as access to the computer system, regular changes to passwords and data backup) were examined to determine if adequate controls and safeguards are in place.
Credit Card Procedures	A review of the Shire's credit card procedures was performed to determine if adequate controls are in place. We selected a sample of credit card transactions from 1 July 2020 to 31 May 2021 across all credit cards to determine whether they are legitimate and usual in the context of the Shire's operations. This included: <ul style="list-style-type: none"> • Sighting tax invoices; • Ascertaining whether the transactions are for bona fide Shire business; and • Determining whether transactions are in line with the credit card policy.
Investments	A review of the Shire's controls and procedures over investments was performed to determine if investments were properly recorded and managed.
General Journals	The Shire's journal procedures were examined to determine if they were sufficiently reviewed / approved at every staff level before processing.

The Auditors report identified 17 matters of which 1 was considered to be significant, 11 were considered to be moderate issues and 5 were considered as minor issues. Each matter that was identified has been discussed with the auditors and in turn with the relevant service areas. Actions identified will be implemented to ensure compliance going forward. Details of these matters are provided below. The details of those findings are presented in the table below:

Area	Rating	Matters Identified/Recommendations
Purchases, Payments & Payables	Moderate	During our testing of purchases we noted two instances where a purchase order was raised after the supplier invoice had been received.
<u>Recommendation:</u> All authorising officers should be reminded of the requirement to ensure purchase orders are raised prior to the goods being received or the services rendered. This will help to ensure goods/services have been appropriately ordered and authorised.		
<u>Management Comment:</u> Staff will be reminded of the requirement to write purchase orders prior to a good/service being purchased.		
Area	Rating	Matters Identified/Recommendations
Purchases, Payments & Payables	Moderate	We noted that the required number of written quotations are not always attached to the purchase order as required by the Shire's purchasing policy. In addition, where the required number of quotations as required by Council's purchasing policy were not obtained, reasons for this were not documented.
<u>Recommendation:</u> To help ensure purchasing officers adhere to Council's purchasing policy, written quotations should be attached to purchase orders. Where quotations have not been obtained as required by Council's purchasing policy, the reasons should be documented.		
<u>Management Comments:</u> Overall, we are comfortable that the purchasing policy is largely being adhered to however staff are not always providing the paperwork (quotes/file notes) to the officer making the payment.		

MINUTES OF AUDIT & RISK COMMITTEE MINUTES 16 JUNE 2021

Area	Rating	Matters Identified/Recommendations
Purchases, Payments & Payables	Moderate	Changes in supplier master files are not reviewed by a senior staff member independent of preparation.
<u>Recommendation:</u> To help ensure all suppliers' details are correctly updated in the creditors system, an exception report or an audit trail report should be printed at each pay run and reviewed by an independent senior person.		
<u>Management Comments:</u> Procedures currently exist which require the finance officer to seek authorisation before changes to a creditor's file are made. Spot checks on creditor details are also conducted prior to payments are made. This recommendation requires us to print off a report each month which describes all changes made to creditor files and have it authorised by a senior officer. We implemented this suggestion immediately.		
Area	Rating	Matters Identified/Recommendations
Payroll	Moderate	Whilst the reconciliations for payroll were performed at each payroll run as required, we noted there was no evidence of review of those reconciliations by a senior staff member independent of preparation.
<u>Recommendation:</u> To help ensure salaries and wages are complete and correctly posted into the general ledger, the reconciliations should be independently reviewed by a senior staff member independent of preparation. This review should seek to confirm the accuracy of the reconciliation and should be evidenced accordingly.		
<u>Management Comments:</u> Fortnightly reviews of the entire payroll process are conducted with the processing of every payroll. This recommendation suggests a signature is required on the final reconciliation, while we believe this process is undertaken the review of the reconciliation will be formalised.		
Area	Rating	Matters Identified/Recommendations
Payroll	Moderate	Changes in payroll master files are not reviewed by a senior staff member independent of preparation.
<u>Recommendation:</u> To help ensure all employees' details are correctly updated in the payroll system, an exception report or an audit trail report should be printed at each payroll run and reviewed by an independent senior person.		
<u>Management Comments:</u> This recommendation has been implemented.		
Area	Rating	Matters Identified/Recommendations
Rates	Moderate	Whilst manual rolling reconciliations of property valuations were performed as required, we noted there was no evidence of review of those reconciliations by a senior staff member independent of preparation.
<u>Recommendation:</u> To help ensure property values are correctly recorded in the rating system, the reconciliations should be independently reviewed by a senior staff member independent of preparation. This review should seek to confirm the accuracy of the reconciliation and should be evidenced accordingly.		
<u>Management Comments:</u> The process described involves updating our SynergySoft property database with interim valuations issued by Landgate. These updates are processed in a timely manner and an ongoing valuation reconciliation is maintained however the reconciliation has not been signed. The recommendation has now been implemented and the reconciliation is signed & reviewed by a senior staff member.		
Area	Rating	Matters Identified/Recommendations
Fees & Charges	Moderate	We noted that the adult membership fee for the recreation centre has not been charged as per the adopted fees and charges in the budget.
<u>Recommendation:</u> To help ensure fees charged are in accordance with the adopted budget, fees should be randomly checked by the administration staff.		
<u>Management Comments:</u> The officer responsible for sending membership renewals did so without updating the new year price. Council were made aware of the issue at the time, as was the responsible officer. The difference between the prior year and new year price was \$5 and for the total 120 members the financial impact was \$600. Staff are made aware when new fees & charges are adopted and, as such, this shouldn't happen again.		

Area	Rating	Matters Identified/Recommendations
Cost Administration and Allocations	Minor	Whilst we noted no material unallocated costs, there is no documentation for the basis of allocating administration costs.
<u>Recommendation:</u> To help ensure better budgetary processes and decision making, the Shire should document the basis of determining allocation rates for administration costs. These rates should be reviewed regularly (at least annually) in order to ensure the rates are reflective of current market conditions and consumption patterns.		
<u>Management Comments:</u> These are reviewed annually however no formal process exists. We will ensure workpapers exist going forward.		
Area	Rating	Matters Identified/Recommendations
Investments	Minor	We noted the current investment policy does not include all investment restrictions as per Local Government (Financial Management) Regulation 19C.
<u>Recommendation:</u> To help ensure compliance with the statutory provisions, Council should update its current investment policy.		
<u>Management Comments:</u> It is important to note that the Shire was not investing in any Reg 19C restricted investments and complied fully with the regulation. The investment policy was updated to include restricted investments at June meeting.		
Area	Rating	Matters Identified/Recommendations
Fixed Assets	Moderate	Whilst the reconciliations for fixed assets were performed on a regular basis as required, we noted there was no evidence of review of those reconciliations by a senior staff member independent of preparation.
<u>Recommendation:</u> To help ensure fixed assets are complete and correctly posted into the general ledger, the reconciliations should be independently reviewed by a senior staff member independent of preparation. This review should seek to confirm the accuracy of the reconciliation and should be evidenced accordingly.		
<u>Management Comments:</u> These are prepared by DCEO and not reviewed by CEO, will ensure these are reviewed in the future.		
Area	Rating	Matters Identified/Recommendations
Fixed Assets	Minor	During our testing of fixed assets, we noted one asset (Holt Rock Airstrip) out of 5 selected samples was not depreciated as per the Shire's accounting policy.
<u>Recommendation:</u> To help ensure fixed assets are correctly depreciated, depreciation rates entered into the fixed assets system should be independently checked against the Shire's accounting policy.		
<u>Management Comments:</u> This will be adjusted accordingly.		
Area	Rating	Matters Identified/Recommendations
Budget	Moderate	The annual budget and annual budget review for the year ended 30 June 2021 were not submitted to the Department of Local Government, Sport and Cultural Industries (DLGSCI) within 30 days after being adopted by Council as required by the Local Government (Financial Management) Regulations 33 and 33A.
<u>Recommendation:</u> To help ensure compliance with statutory provisions, the annual budget and annual budget review should be submitted to the DLGSCI as soon as possible after being adopted by Council.		
<u>Management Comments:</u> Effort will be made to lodge this on time in the future.		

Area	Rating	Matters Identified/Recommendations
Credit Card	Minor	There is no credit card agreement between the cardholders and the Shire.
<u>Recommendation:</u> To help ensure adherence to the Shire's credit card policy and proper use of credit cards and hence accountability, all staff who have been allocated a credit card should sign a credit card usage agreement and the signed documents should be appropriately filed.		
<u>Management Comments:</u> We are currently preparing an agreement and will have card holders sign.		
Area	Rating	Matters Identified/Recommendations
Information Technology	Minor	The Shire's disaster recovery plan has not been reviewed since 2019.
<u>Recommendation:</u> To ensure the Shire's disaster recovery plan remains relevant to current circumstances, it should be reviewed on an annual basis.		
<u>Management Comments:</u> Currently in progress with Spyker.		
Area	Rating	Matters Identified/Recommendations
Inventory Stock	Moderate	Whilst reconciliations for stock of fuel were performed on a regularly basis, we noted there was no evidence of review of those reconciliations by a senior staff member independent of preparation.
<u>Recommendation:</u> To help ensure stock of fuel is recorded and correctly posted in the general ledger, the reconciliations should be independently reviewed by a senior staff member independent of preparation. This review should seek to confirm the accuracy of the reconciliation and should be evidenced accordingly.		
<u>Management Comments:</u> A senior member of staff have reviewed all reconciliations on this advice.		
Area	Rating	Matters Identified/Recommendations
Inventory Stock	Significant	We noted the Shire's staff who are designated employees have not completed their Primary and/or Annual Returns as required by section 5.74, 5.75 and 5.76 of the Local Government Act 1995.
<u>Recommendation:</u> To help ensure compliance with the above statutory provisions, all designated employees should complete both Primary and Annual Returns.		
<u>Management Comments:</u> These staff members will prepare an Annual and Primary Return.		

CONSULTATION:

Internal: Customer Service Officers, Senior Finance Officer, Finance Officer, Trainee Finance Officer and Deputy Chief Executive Officer
External: Gilles Chan, Auditor (Moore Australia)

STATUTORY IMPLICATIONS:

Local Government (Financial Management) Regulations 1996 regulation 5(2)(c)

FINANCIAL IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That the Audit and Risk Committee recommends that Council:

1. Notes the Auditor's report on the review of the Shire's financial management systems and procedures.

2. Notes the Management responses to those comments and recommendations.

VOTING REQUIREMENTS:

Simple majority required.

A2/0621

Moved Cr Noble Seconded Cr Lucchesi that the Audit and Risk Committee recommend that Council;

- 1. Notes the Auditor's Report on the review of the Shire's financial management systems and procedures.**
- 2. Notes the Management responses to those comments and recommendations.**

Carried 8/0

No Date and Time Set for next Meeting.

CLOSURE OF MEETING

There being no further business the meeting was closed at 1:05pm

Minutes of an Audit & Risk Committee Meeting of Council held in the Council Chambers on Wednesday 24 February 2022 commencing at 10.48am

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

President Grant Robins declared the meeting open at 10.48am

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Attendance

G Robins	President	Central Ward
B Smoker	Deputy President	West Ward
T Gangell	Councillor	Town Ward
B West – Zoom Video Link	Councillor	West Ward
R Bowey	Councillor	Town Ward
M Lucchesi	Councillor	Central Ward
C Mullan	Councillor	Central Ward
J Noble	Councillor	Town Ward
G Yandle	Chief Executive Officer	
F Murphy	Acting DCEO	
F Jasper	Executive Support Officer	

Apologies

L Varone

3. PUBLIC QUESTION TIME

4. APPLICATIONS FOR LEAVE OF ABSENCE

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

5.1 Audit and Risk Committee Meeting Minutes – 17 March 2021

6. MATTERS REQUIRING DECISION

6.1 Annual Report 2020/21 – Auditor's Report

6 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

7 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

8 INFORMATION BULLETIN ITEMS

9 DATE AND TIME OF NEXT MEETING

10 CLOSURE OF MEETING

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

5.1 Audit & Risk Committee Meeting 17 March 2021

A1/0222

Moved Cr Smoker Seconded Cr Lucchesi that the minutes of the Audit and Risk Committee Meeting held on 17 March 2021 be received.

Carried 8/0

6. MATTERS REQUIRING DECISION

6.1 Annual Report 2020/21 – Auditors Report

NAME OF APPLICANT: DCEO
RESPONSIBLE OFFICER: DCEO
FILE REFERENCE: 12.05 Audit Return and Review
STRATEGIC REFERENCE/S: Corporate Business Plan, Civic Leadership 4.1.1 a; CEO KRA 3.3 Financial Management, 3.5 Integrated Planning
AUTHOR: CEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

The Shire of Kulin Annual Report 2020/21 has been audited by Councils Auditor, AMD on behalf of Office of the Auditor General. The Auditor has provided the Independent Auditor's Report. It should be noted that no issues of inaccuracy or non-compliance with the Shire's Annual Financial Report for the year ended 30 June 2021 have been identified.

BACKGROUND & COMMENT:

Each year, as part of Council's audit process, an Independent Audit is undertaken to assess Council's Annual Financial Report and the legitimacy and accuracy of Council's accounts.

An Independent Audit Report is then produced by the Auditor and provided to the Chief Executive Officer, President and the Minister, Department for Local Government. The Report is included in Council's Annual Report. Any issues arising from the Independent Audit Report are to be investigated and action taken to resolve those issues.

As Councillors were present at the Audit Exit meeting held on Thursday 17 February 2022, the OAG have indicated there is no requirement for representatives from our auditors AMD or the OAG to attend this meeting.

FINANCIAL IMPLICATIONS:

Nil

STATUTORY IMPLICATIONS:

Local Government (Audit) Regulations 1996.
Auditor General Act 2006.

POLICY IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

RECOMMENDATION TO AUDIT COMMITTEE:

That the committee recommends to Council that the Auditors Report for the 2020/21 Financial Year be received and the accompanying management letter be noted. Questions arising from the Audit Report and management letter requiring action be addressed by the CEO. The Shire of Kulin Annual Report 2020/21 be received.

VOTING REQUIREMENTS:

Absolute majority required.

A2/0222

Moved Cr Bowey Seconded Cr Noble that the committee recommends to Council that the Auditors Report for the 2020/21 Financial Year be received and the accompanying management letter be noted. Questions arising from the Audit Report and management letter requiring action be addressed by the CEO. The Shire of Kulin Annual Report 2020/21 be received.

Carried 8/0

Next Meeting 16th March 2022, time to be set.

CLOSURE OF MEETING

There being no further business the meeting was closed at 11:04am



Kulin - Compliance Audit Return 2021

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 2021?	N/A		Garrick Yandle
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 2021?	N/A		Garrick Yandle
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 2021?	N/A		Garrick Yandle
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 2021?	N/A		Garrick Yandle
5	s3.59(5)	During 2021, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A		Garrick Yandle



Delegation of Power/Duty						
No	Reference	Question	Response	Comments	Respondent	
1	s5.16	Were all delegations to committees resolved by absolute majority?	Yes		Garrick Yandle	
2	s5.16	Were all delegations to committees in writing?	Yes		Garrick Yandle	
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	Yes		Garrick Yandle	
4	s5.18	Were all delegations to committees recorded in a register of delegations?	Yes	May OCM	Garrick Yandle	
5	s5.18	Has council reviewed delegations to its committees in the 2020/2021 financial year?	Yes		Garrick Yandle	
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		Garrick Yandle	
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes		Garrick Yandle	
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes		Garrick Yandle	
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes		Garrick Yandle	
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	May OCM	Garrick Yandle	
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	Monthly Items to Council	Garrick Yandle	
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2020/2021 financial year?	Yes		Garrick Yandle	
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	Monthly Items to Council	Garrick Yandle	

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		Garrick Yandle	



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?	Yes		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2021?	Yes		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle



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

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		Garrick Yandle
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)?* *Question not applicable after 2 Feb 2021	Yes		Garrick Yandle
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		Garrick Yandle
		*Question not applicable after 2 Feb 2021			
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		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
		*Question not applicable after 2 Feb 2021			
21	Admin Reg 34B(5)	Has the CEO kept a register of notifiable gifts in accordance with Admin Reg 34B(5)?*	Yes		Garrick Yandle
		*Question not applicable after 2 Feb 2021			



No	Reference	Question	Response	Comments	Respondent
22	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	Adopted in July 2021	Garrick Yandle
23	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)?	No	No additional requirements.	Garrick Yandle
24	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		Garrick Yandle
25	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?	Yes		Garrick Yandle

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		Garrick Yandle
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		Garrick Yandle



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



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		Garrick Yandle	
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?	Yes		Garrick Yandle	
3	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2021 received by the local government by 31 December 2021?	No	Delays by OAG.	Garrick Yandle	
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		Garrick Yandle	
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?	Yes		Garrick Yandle	
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?	Yes		Garrick Yandle	
7	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		Garrick Yandle	



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?	No	Was due June 2021, but delayed until 2022 following community consultation	Garrick Yandle
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?	No	Was due June 2021, but delayed until 2022 following community consultation	Garrick Yandle
3	Admin Reg 19DA (2) & (3)	Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)?	N/A	Was due June 2021, but delayed until 2022 following community consultation	Garrick Yandle

Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve a process to be used for the selection and appointment of the CEO before the position of CEO was advertised?	N/A		Garrick Yandle
2	s5.36(4) & s5.37 (3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Admin Reg 18A?	N/A		Garrick Yandle
3	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A		Garrick Yandle
4	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4)?	N/A		Garrick Yandle
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	N/A		Garrick Yandle
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		Garrick Yandle



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		Garrick Yandle
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		Garrick Yandle
3	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?	No		Garrick Yandle



Optional Questions					
No	Reference	Question	Response	Comments	Respondent
1	Financial Management Reg 5 (2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with Financial Management Reg 5(2)(c) within the three years prior to 31 December 2021? If yes, please provide the date of council's resolution to accept the report.	Yes		Garrick Yandle
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 2021? If yes, please provide date of council's resolution to accept the report.	Yes		Garrick Yandle
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?	N/A		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
7	s5.127	Did the local government prepare a report on the training completed by council members in the 2020/2021 financial year and publish it on the local government's official website by 31 July 2021?	Yes		Garrick Yandle
8	s6.4(3)	By 30 September 2021, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2021?	Yes		Garrick Yandle
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		Garrick Yandle



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		Garrick Yandle
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		Garrick Yandle
3	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		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
10	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		Garrick Yandle



No	Reference	Question	Response	Comments	Respondent
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		Garrick Yandle
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?	Yes		Garrick Yandle
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?	Yes		Garrick Yandle
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?	Yes		Garrick Yandle
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?	No		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
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		Garrick Yandle
21	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	Yes		Garrick Yandle



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

No	Reference	Question	Response	Comments	Respondent
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		Garrick Yandle

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

Signed Mayor/President, Kulin

Signed CEO, Kulin