

minutes

FINANCE AND AUDIT COMMITTEE



Please be advised that a **Finance and Audit Committee** Meeting commenced at **5.00pm** on **Monday 12 June 2017** in Meeting Room 1 at the Administration Building, 99 Shepperton Road, Victoria Park.

A handwritten signature in black ink, appearing to read "A Vuleta".

ANTHONY VULETA
CHIEF EXECUTIVE OFFICER

15 June 2017

(To be confirmed 14 August 2017)

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1 OPENING

Cr Hayes opened the meeting at 5.00pm.

2 ATTENDANCE

Members:

Banksia Ward: Cr K (Keith) Hayes (Deputy Presiding Member)

Jarraah Ward: Cr V (Vince) Maxwell
Cr J (Jennifer) Ammons Noble

Deputy Member:

Jarraah Ward: Cr B (Brian) Oliver

Director Business Life Mr N (Nathan) Cain

A/Director Renew Life Program Mr J (John) Wong

Secretary: Ms G (Gaye) Last

Guests:

Property Development Officer Jon Morellini

Manager Customer Service Matthew Reed

2.1 Apologies

Banksia Ward: Cr M (Mark) Windram (Presiding Member)

Director Renew Life Program Mr W (Warren) Bow

2.2 Approved Leave of Absence

3 DECLARATIONS OF INTEREST

Declarations of interest are to be made in writing prior to the commencement of the Meeting, (a form to assist Elected Members and Staff is attached at the end of this Agenda).

Declaration of Financial Interests

Nil

Declaration of Proximity Interest

Nil

Declaration of Interest affecting impartiality

Nil

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4 TERMS OF REFERENCE

1. NAME

The name of the Committee shall be the Finance and Audit Committee (the Committee).

2. AIMS AND OBJECTIVES

The strategic focus for the Committee is aligned to the Community Strategic Plan. The purpose of the Committee is to contribute to the vibrant lifestyle of the Town.

2.1 Goals

To provide sound financial management and good governance by:

- Providing guidance and assistance to Council as to the carrying out of its functions in relation to audits in compliance with the Local Government Act 1995;
- Developing and reviewing Council policies as per the Committee's Key Focus Areas;
- Developing appropriate strategies that will deliver the most favourable long term outcomes for the Council in the Committee's Key Focus Areas;
- Ensuring Council maintains its financial capacity to deliver programs and services; and
- Providing advice to Council in relation to matters that are within the Committee's area of responsibility.

2.2 Deliverables

The key deliverables of the Committee will include:

- Annual compliance audit;
- Annual risk management audit; and
- Annual review / update of policies, strategies and plans related to the Key Focus Areas.

2.3 Scope and Jurisdiction

The Key Focus Areas of the Committee include:

- Audit;
- Financial planning;
- Revenue diversification;
- Investments;
- Rates;
- Grants;
- Asset management;
- Land asset optimisation;
- Risk Management; and
- Governance.

2.4 Engagement

The Committee may invite individuals and subject matter experts to attend a meeting of the Committee to provide expert advice where required.

3. MEMBERSHIP

The Committee will comprise a maximum of four (4) Elected Members being two (2) Elected Member representatives from each of the Town's two (2) wards with five (5)

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Elected Members being appointed in a hierarchical order as alternate deputy members except for the Chief Executive Officer Recruitment and Performance Review Committee whereby five (5) Elected Members are appointed being the Mayor and two (2) Elected members from each of the Town's two (2) Wards with four (4) Elected Members being appointed in a hierarchical order as alternate deputy members.

4. MEETINGS

The Committee shall convene in accordance with its annual adopted meeting schedule.

5. QUORUM

In accordance with section 5.19 of *the Local Government Act 1995* the quorum for a meeting of the Committee is at least 50% of the number of offices (whether vacant or not) of members of the Committee.

6. DELEGATED POWER

The Committee has no delegated power and all recommendations made are to be referred to Council for a decision.

7. GOVERNANCE

The Committee is governed by the provisions of the *Town of Victoria Park Standing Orders Local Law 2011* and the *Local Government Act 1995* and its Regulations.

5 CONFIRMATION OF MINUTES

RESOLVED:

Moved: Cr Maxwell

Seconded: Cr Hayes

That the Minutes of the Finance and Audit Committee Meeting held on 8 May 2017 be confirmed.

That the Minutes of the Special Finance and Audit Committee held on 17 May 2017 be confirmed.

That the Minutes of the Special Finance and Audit Committee held on 7 June 2017 be confirmed.

The Motion was Put and

Carried (3:0)

In favour of the Motion: Cr Maxwell; Cr Hayes; Cr Oliver

(To be confirmed 14 August 2017)

6 METHOD OF DEALING WITH AGENDA BUSINESS

RESOLVED:

Moved: Cr Oliver

Seconded: Cr Maxwell

That clause 6.10 *Speaking Twice of the Town of Victoria Park Standing Orders Local Law 2011* be suspended for the duration of this meeting.

The Motion was Put and

Carried (3:0)

In favour of the Motion: Cr Maxwell; Cr Hayes; Cr Oliver

7 PRESENTATIONS

7.1 Deputations

Nil

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8 REPORTS**8.1 Town of Victoria Park Compliance Audit Return for the Period 1 January to 31 March 2017**

File Reference:	GOR/15/0003
Appendices:	Yes

Date:	23 May 2017
Reporting Officer:	R. Fishwick
Responsible Officer:	A. Vuleta
Voting Requirement:	Simple Majority

Executive Summary:

Recommendation – That the Finance and Audit Committee receives the report on the Town of Victoria Park First Quarter Compliance Audit Return for the period 1 January 2017 – 31 March 2017.

- The Town of Victoria Park First Quarter Compliance Audit Return for the period 1 January to 31 March 2017 reveals that the Town is compliant in all areas reviewed.
- The audit is based on the Annual Compliance Audit Return issued by the Department of Local Government and Communities.

TABLED ITEMS:

Nil

BACKGROUND:

The First Quarter Audit covers the period 1 January 2017 to 31 March 2017.

It should be noted that this First Quarter Audit is not a mandatory requirement of the *Local Government (Audit) Regulations 1996*; however, in order to provide good governance and implement best practice, the Town conducts its own Compliance Audit System based on the areas prescribed pursuant to regulation 13 of the *Local Government (Audit) Regulations 1996*.

As is the case with the Annual Compliance Audit Return, The Town will not only have to explain or qualify cases of non-compliance, but also provide details of any remedial action taken or proposed to be taken in regard to instances of non-compliance.

DETAILS:

The First Quarter Audit Return covers a range of matters that require specific actions to be completed by Local Government Authorities in performing their functions.

It requires the responsible officer to indicate against each item whether the required action is relevant to the Town and if it has been completed by either answering;

- (a) Yes; or
- (b) No; or
- (c.) N/A – Not Applicable.

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Program Areas are required to provide feedback or comments on areas of non-compliance. This assists the CEO to have a better understanding of any problems or issues relating to the Town's inability to achieve full compliance in a particular area.

The following table summarises the Town's performance in each of the relevant categories. A comparison between the 1 January – 31 March 2016 and 1 January – 31 March 2017 is also provided below.

In all areas audited the Town is 100% compliant for the First Quarter Audit.

Table of CAR Comparison & Compliance

Category	2016 Audit Questions	Compliant	2017 Audit Questions	Compliant
Commercial Enterprises by Local Governments	5	100%	5	100%
Delegation of Power / Duty	13	100%	13	100%
Disclosure of Interest	16	100%	16	100%
Disposal of Property	2	100%	2	100%
Elections	1	100%	1	100%
Finance	14	100%	14	100%
Local Government Employees	5	100%	5	100%
Official Conduct	6	100%	6	100%
Tenders for Providing Goods and Services	25	100%	25	100%
TOTAL	87	100%	87	100%

Legal Compliance:

Section 7.13(1)(i) of the *Local Government Act 1995* states that;

“7.13(1). *Regulations may make provision –*

(i) *requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are –*

- (i) *of a financial nature or not; or*
- (ii) *under this Act or another written law.”*

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Regulations 14 and 15 of the *Local Government (Audit) Regulations 1996* state inter alia that;

14. Compliance audits by local governments

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

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

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

Policy Implications:

Nil

Risk Management Considerations:

Risk & Consequence	Consequence + Rating	Likelihood = Rating	Overall Risk Analysis	Mitigation/Actions
Compliance. There is no regulatory or statutory impact as this internal Compliance Audit for the first quarter of 2017 is not regulated pursuant to the	Minor.	Likely.	Low.	Quarterly in-house Compliance Audits will identify any issues that can be remedied or mitigated against prior to the Annual Compliance Audit being undertaken for the 2017 year which is required by the <i>Local Government (Audit) Regulations 1996</i> .

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Risk & Consequence	Consequence + Rating	Likelihood = Rating	Overall Risk Analysis	Mitigation/Actions
<i>Local Government Act 1995</i> and is an in-house measure of compliance efficacy.				

Strategic Plan Implications:

The Governance Unit is focussed on maintaining and improving the performance of Council's Administration with regard to compliance with the *Local Government Act 1995*. The quarterly audits and the Annual Compliance Audit Report are a process that monitor performance and identify areas that may be improved from a governance perspective.

Financial Implications:Internal Budget:

Nil

Total Asset Management:

Nil

Sustainability Assessment:External Economic Implications:

Nil

Social Issues:

Nil

Cultural Issues:

Nil

Environmental Issues:

Nil

COMMENT:

The compliance programs of a local government are a strong indication of attitude towards meeting legislative requirements. Audit committee practices in regard to monitoring compliance programs typically include monitoring compliance with legislation and regulations and reviewing the annual Compliance Audit Return and reporting to Council the results of that review. Hence, this report seeks to keep the Finance and Audit Committee up to date with the internal monitoring programs the Town has in place.

(To be confirmed 14 August 2017)

CONCLUSION:

In all areas audited for the period 1 January – 31 March 2017 the Town was found to be compliant with the relevant legislation.

RESOLVED:

Moved: Cr Maxwell

Seconded: Cr Oliver

That the Finance and Audit Committee receives the report on the First Quarter Compliance Audit Return for the period 1 January 2017 to 31 March 2017.

The Motion was Put and

Carried (3:0)

In favour of the Motion: Cr Maxwell; Cr Hayes; Cr Oliver

(To be confirmed 14 August 2017)

8.2 Local Government Elections 2017 – Postal Envelope Instructions

File Reference:	GOV/7/16
Appendices:	No

Date:	8 June 2017
Reporting Officer:	R. Fishwick
Responsible Officer:	A. Vuleta
Voting Requirement:	Simple Majority

Executive Summary:

Recommendation – that the modifications made to the elector instructions contained on the election envelope by the Western Australian Electoral Commission be endorsed.

- The Council requested the Western Australian Electoral Commission makes modifications to the postal envelope instructions for electors to reduce any ambiguity and confusion in relation to the section dealing with a change of personal details.
- The Western Australian Electoral Commissioner has made the appropriate modifications.

TABLED ITEMS:

Nil

BACKGROUND:

The Council at its meeting held on 14 February 2017 when considering a report dealing with the appointment of the Western Australian Electoral Commissioner to conduct the Town's 2017 Ordinary Local Government Election resolved as follows:

That the Council:

1. *By an ABSOLUTE MAJORITY in accordance with section 4.20(4) of the Local Government Act 1995, appoints the Electoral Commissioner to be responsible for the conduct of the 2017 Ordinary Elections together with any other elections, polls or referendums which may be required;*
2. *By an ABSOLUTE MAJORITY in accordance with section 4.61(2) of the Local Government Act 1995, determines the method of conducting the Town's elections, polls or referendums in 1. above will be by postal elections;*
3. *Lists an amount of \$75,000 for consideration in the 2017/2018 Budget to fund the costs for the Western Australian Electoral Commissioner to conduct the Town's 2017 Ordinary Elections.*
4. *Request from the Western Australian Electoral Commission, a draft of the instructions to be included on the postal voting envelopes to be provided by 31 July 2017, to the Finance and Audit Committee for approval.*

(To be confirmed 14 August 2017)

In accordance with the above Council determination the Western Australian Electoral Commission (WAEC) was contacted on 15 February 2017 and advised that the Council's Finance and Audit Committee would like to consider the draft instructions to electors on the postal envelopes before the 31 July 2017.

DETAILS:

The material that comprises the "Election Package" must comply with *Regulation 43* of the *Local Government Elections) Regulation 1997*. Any changes or amendments to the Local Election Regulations and precisely the Election Package format can only be undertaken with approval by the Minister for Local Government and Communities (the Minister).

The Minister would no doubt take advice from and consult with the Western Australian Electoral Commissioner (the Electoral Commissioner) and the Department of Local Government and Communities prior to promulgating any changes or amendments to the Local Government Election Regulations.

After each Local Government Ordinary Postal Election the Electoral Commissioner encourages candidates and local governments to provide feedback about the conduct of the postal election service which is an opportune time to suggest improvements to the service provided.

Regulation 43 of the *Local Government Elections) Regulation 1997* which deals with the election package is shown below:

43. Contents of election package

(1) *An election package is to contain —*

- (a) *postal voting instructions (Form 13(a) or (b)); and*
- (b) *the profiles of candidates required by section 4.49(b) reproduced in such form as the RO determines; and*
- (ba) *information to the effect that the electoral gifts register is available for inspection, by any voter prior to the election, at the relevant local government offices; and*
- (c) *a ballot paper (Form 10); and*
- (d) *a ballot paper envelope; and*
- (e) *an elector's certificate (Form 14); and*
- (f) *a postage pre-paid envelope addressed to the RO.*

(1a) *A reference in —*

- (a) *regulation 50 to a postage pre-paid envelope; or*
- (b) *regulation 52 or 52A to a ballot paper envelope,*

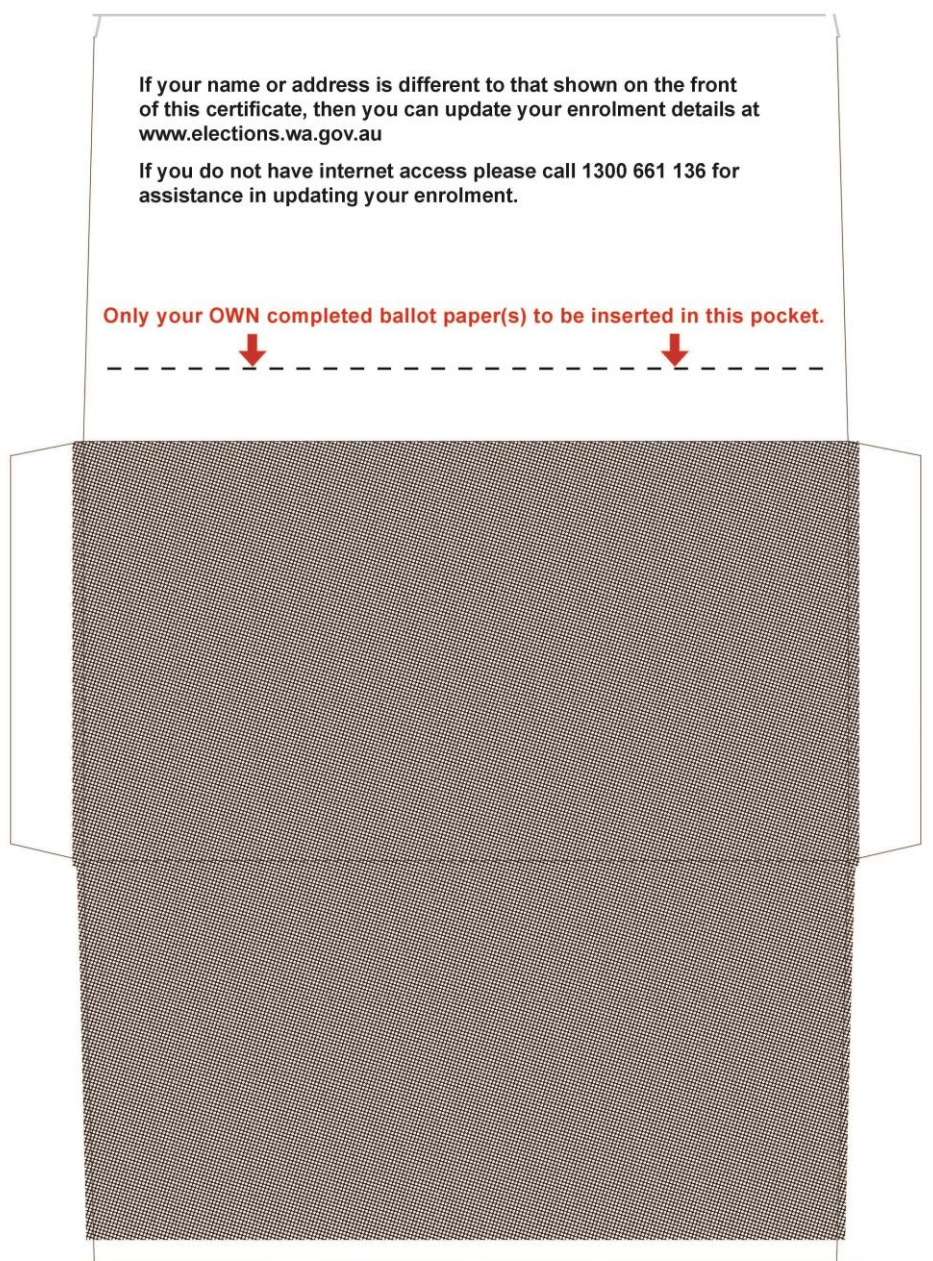
includes a reference to an envelope that combines a ballot paper envelope referred to in subregulation (1)(d) with a postage pre-paid envelope referred to in subregulation (1)(f).

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- (2) *Before a ballot paper is included in an election package an electoral officer is to initial the back of it or make sure that it is authenticated in some other way approved by the RO.*

The Executive Manager Governance from the Town met with the Manager Local Government Elections at the WAEC on the 7 June 2017 to discuss arrangements for the October 2017 Ordinary Local Government Elections.

At that meeting the WAEC advised that it has taken into consideration the feedback provided by the Town and from other local governments and has made changes to the instructions on the postal voting envelope. A copy of the revised envelop is shown hereunder:

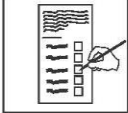


(To be confirmed 14 August 2017)

/// REMOVE TAPE AND SEAL HERE ///

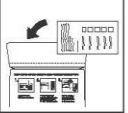
How to use this envelope...

1




Complete your ballot paper(s).

2




Place the ballot paper(s) inside this envelope and seal it.

3




Sign the Elector's Certificate.

4



Place this envelope in the Reply Paid envelope and post it straight away.



WESTERN AUSTRALIAN
Electoral Commission

E511

You MUST sign the Elector's Certificate for your vote to count.
 Do NOT detach the Elector's Certificate from this envelope
 as this will be done by an Electoral Officer after your
 name is marked off the roll.

BALLOT PAPER ENVELOPE


DO NOT DETACH

An Electoral Officer will detach this certificate before the envelope is opened. This will keep your vote secret.

You MUST sign this certificate for your vote to count.

Elector's Certificate
Local Government (Elections) Regulations 1997, reg. 43(1)(e) – Form 14

Declaration (Making a false declaration is an offence.)
 I am the elector to whom a package containing the attached ballot paper envelope was addressed. I declare that the attached ballot paper envelope contains my ballot paper(s).

Signature 

Date / /

The instructions have therefore been modified to reduce any ambiguity and confusion as the section dealing with a change of personal details relating to name and address that appear on the election envelope only require an elector to make amendments on-line through the WAEC's website or ring them for assistance. There is now no requirement to insert changes to personal details on the postal voting envelopes which may have in previous elections confused and misled some electors into thinking that they had completed the Electors Certificate (Declaration).

(To be confirmed 14 August 2017)

Legal Compliance:

Section 4.20(4) and Section 4.61(2) of the *Local Government Act 1995* have been complied with pursuant to the Council's determination of the 14 February 2017 to appoint the Electoral Commissioner to conduct the election and that it be a postal election.

Policy Implications:

Nil

Risk Management Considerations:

The risk of not conducting a postal election has been identified as outlined below;

Risk & Consequence	Consequence + Rating	Likelihood = Rating	Overall Risk Analysis	Mitigation/Action s
<p>Reputational: (not conducting a postal election)</p> <p>If the Electoral Commissioner does not conduct the Council's 2017 Ordinary Elections as postal elections it can be conducted as an in-person election which would no doubt result in lower voter participation and extreme criticism from electors.</p>	Major	Almost certain	Extreme	It is recommended that the WAEC conduct the election as a postal election.

Pursuant to Section 4.61(5) of the *Local Government Act 1995* the Town cannot rescind its decision to conduct a postal election after the 80th day (which is the 2 August 2017) prior to Election Day.

If the Council decides to rescind its decision to conduct a postal election then the CEO can be appointed as the Returning Officer with the Town's Administration conducting the election as an in-person election. This course of action may have a catastrophic impact on the Town as staff are relatively inexperienced in conducting in-person elections.

It is envisaged that the Town's reputation would also be damaged with substantial embarrassment and widespread loss of community trust with high media and third party (elector) criticism.

Strategic Plan Implications:

Nil

(To be confirmed 14 August 2017)

Financial Implications:Internal Budget:

The Electoral Commissioner provided a cost estimate of \$96,000 (including GST).

Notwithstanding the above, the Council at its meeting held on 14 February 2017 resolved to allocate \$75,000 for consideration in the 2017-2018 Draft Budget.

Total Asset Management:

Nil

Sustainability Assessment:External Economic Implications:

Nil

Social Issues:

Nil

Cultural Issues:

Nil

Environmental Issues:

Nil

COMMENT:

The modifications to the instructions on the postal election envelope will reduce any ambiguity and confusion as the section dealing with a change of personal details relating to name and address that appear on the election envelope only require an elector to make amendments on-line through the WAEC's website or ring them for assistance.

CONCLUSION:

It is therefore recommended that the Finance and Audit Committee endorses the modifications to the instructions made by the WAEC to the postal election envelope.

RESOLVED:

Moved: Cr Maxwell

Seconded: Cr Oliver

That the Finance and Audit Committee recommends to the Council that it endorses the modifications made by the Western Australian Electoral Commission to the elector instructions contained on the election envelope.

The Motion was Put and

Carried (3:0)

In favour of the Motion: Cr Maxwell; Cr Hayes; Cr Oliver

The Manager Customer Services joined the meeting at 5.04pm.

The Minute Taker left the meeting at 5.05pm.

(To be confirmed 14 August 2017)

9 WORKSHOP TOPICS AND PRESENTATIONS

9.1 Customer Service Delivery Policy.

The Manager Customer Services, Mr Matthew Reed, joined the meeting to discuss the draft Customer Service Delivery Policy. (Attachment 1)

The Property Development Manager joined the meeting at 5.25pm.

The Manager Customer Services left the meeting at 5.32pm.

Councillor Ammons Noble joined the meeting at 5.36pm.

RESOLVED:

Moved: Cr Maxwell

Seconded: Cr Oliver

That the meeting be closed at 5.36pm to members of the public in accordance with Clause 5.2 of the Town of Victoria Park Standing Orders Local law 2011 and section 5.23(2) of the Local Government Act 1996.

The Motion was Put and

Carried (4:0)

In favour of the Motion: Cr Maxwell; Cr Hayes; Cr Ammons Noble; Cr Oliver

The Director Business Life Program left the room at 6.14pm and returned at 6.20pm.

The Director Business Life Program left the room at 6.45pm and returned at 6.48pm.

9.2 (Confidential item) Land Asset Optimisation Strategy (LAOS) Status Update and Business Case Discussion.

Property Development Manager, Mr Jon Morellini presented an update on the Land Asset Optimisation Strategy.

Moved: Cr Ammons Noble

Seconded: Cr Maxwell

That the meeting be reopened at 7.28pm to members of the public.

The Motion was Put and

Carried (4:0)

In favour of the Motion: Cr Maxwell; Cr Hayes; Cr Ammons Noble; Cr Oliver

10 MOTION FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

(To be confirmed 14 August 2017)

11 NEW BUSINESS OF AN URGENT NATURE

Nil

12 REQUEST FOR REPORTS FOR FUTURE CONSIDERATION

Forthcoming Agenda Items	
Reports	
874 Albany Highway – future land use/development	
Land Asset Optimisation Strategy – Action Plan / finalised document	
Investment Strategy – development	
Revenue Diversification Policy - development	
Customer Service Delivery Policy	August 2017
Workshop Topics/Presentation	
Annual General Electors Meeting and Annual Report – text and timeline	August 2017
Fees and Charges – determination and analysis of the level of application	
Investment Strategy – development	August 2017
Revenue Diversification Policy - development	August 2017
Planet Street Business Plan Report Investment Company Update (investment team invited to speak to committee and update members on progress)	August 2017
Carbon Offset Program	
Capital Works Progress	

13 CLOSURE

There being no further business, Cr Hayes closed the meeting at 7.33pm.

I confirm these Minutes to be a true and accurate record of the proceedings of the Council.

Signed:.....Cr Hayes

Dated this:.....Day of.....2017

ATTACHMENT 1



Customer Service Delivery Policy

Reviewed August 2016

Policy Statement

The Council of the Town of Victoria Park is committed to excellence in the area of customer service delivery to residents, visitors and ratepayers.

The delivery aligns with the principles of the Customer Service Charter, relevant industry standards and the WA Ombudsman's Code of Practice.

Scope

This policy applies to all employees, contractors and Elected Members who work for, or act on behalf of the Town of Victoria Park.

Practice Implications

Practices to demonstrate;

1. Accountability, with measurement and good governance to residents, visitors and ratepayers when delivering services, actioning requests and receiving feedback;
2. Improved satisfaction in obtaining the right outcome when delivering services and requests; and
3. Consistent and timely management of Council investigations and complaint handling;

References

Local Government Act 1995

State Records Act 2000

Town of Victoria Park – Customer Service Charter

Town of Victoria Park – Code of Conduct

Town of Victoria Park – Record Keeping Plan

International Standardisation Organisation – ISO 26000 – Social Responsibility

Directly Associated Practices

Customer Service Management Practice

ATTACHMENT 2

Town of Victoria Park – First Quarter Compliance Audit Return

Compliance Audit for the Period 1 January to 31 March 2017

This Audit has been developed for internal use by the Town to ascertain compliance with the *Local Government (Audit) Regulations 1996*

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a)(b)(c) F&G Reg 7,9	Has the local government prepared a business plan for each major trading undertaking in 2017.	N/A		Russ Fishwick
2	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2017.	N/A		Russ Fishwick
3	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2017.	N/A		Russ Fishwick
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2017.	N/A		Russ Fishwick
5	s3.59(5)	Did the Council, during 2017, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	N/A		Russ Fishwick

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Town of Victoria Park – First Quarter Compliance Audit Return

Delegation of Power / Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	N/A	The Council has not delegated any powers to its Committees	Russ Fishwick
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	N/A		Russ Fishwick
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	N/A		Russ Fishwick
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	N/A		Russ Fishwick
5	s5.18	Has Council reviewed delegations to its committees in the 2016/2017 financial year.	N/A		Russ Fishwick
6	s5.42(1),5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.	Yes		Russ Fishwick
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes		Russ Fishwick
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	Yes		Russ Fishwick
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes		Russ Fishwick
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	Yes		Russ Fishwick
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes		Russ Fishwick
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2015/2016 financial year.	Yes		Russ Fishwick
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	Yes	Impossible to confirm precisely due to the number of delegations. However, the delegations exercised are captured as metadata in the Town's Record Management System.	Russ Fishwick

(To be confirmed 14 August 2017)

Town of Victoria Park – First Quarter Compliance Audit Return

Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68).	Yes	Only impartiality interests have been disclosed during the first quarter which do not require an elected member to leave to Council Chamber.	Russ Fishwick
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.	N/A	No decisions were made by the Council to allow a disclosing member to remain in the Council Chamber as no financial or proximity interests have been disclosed during the first quarter.	Russ Fishwick
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes	Only impartiality interests have been disclosed during the first quarter.	Russ Fishwick
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	N/A		Russ Fishwick
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	N/A		Russ Fishwick
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2017.	N/A		Russ Fishwick
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2017.	N/A		Russ Fishwick
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	N/A		Russ Fishwick
9	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	N/A		Russ Fishwick
10	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes		Russ Fishwick

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11	s5.88 (3)		Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Yes		Russ Fishwick
12	s5.88(4)		Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes		Russ Fishwick
No	Reference	Admin	Question	Response	Comments	Respondent
13	s5.103 Reg 34C & Rules of Conduct Reg 11	Admin	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	Yes		Russ Fishwick
14	s5.70(2)		Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	N/A		Russ Fishwick
15	s5.70(3)		Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	N/A		Russ Fishwick
16	s5.103(3) Reg 34B	Admin	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes		Russ Fishwick

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Town of Victoria Park – First Quarter Compliance Audit Return

Disposal of Property					
No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).	N/A		Russ Fishwick
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	N/A		Russ Fishwick

Town of Victoria Park – First Quarter Compliance Audit Return

Elections					
No	Reference	Question	Response	Comments	Respondent
1	Elect Reg 30G (1)	Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the candidates.	N/A	There has not been an ordinary or extra-ordinary election held during the audit review period.	Russ Fishwick

(To be confirmed 14 August 2017)

Town of Victoria Park – First Quarter Compliance Audit Return

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		Ann Thampoe
2	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority.	Yes		Ann Thampoe
3	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes		Ann Thampoe
4	s7.3, 7.6(3)	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	Yes		Ann Thampoe
5	Audit Reg 10	Was the Auditor's report for the financial year ended 30 June 2016 received by the local government within 30 days of completion of the audit.	Yes		Ann Thampoe
6	s7.9(1)	Was the Auditor's report for 2015/2016 received by the local government by 31 December 2016.	Yes		Ann Thampoe
7	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 by the local government, was that action undertaken.	Yes		Ann Thampoe
8	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9(1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	N/A		Ann Thampoe
9	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9(1) of the Act) required action to be taken by the local	N/A		Ann Thampoe

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		government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.			
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	Yes		Ann Thampoe
No	Reference	Question	Response	Comments	Respondent
11	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	Yes		Ann Thampoe
12	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes		Ann Thampoe
13	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	Yes		Ann Thampoe
14	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	Yes		Ann Thampoe

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Town of Victoria Park – First Quarter Compliance Audit Return

Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised.	N/A		Russ Fishwick
2	s5.36(4) s5.37(3), Admin Reg 18A	Were all vacancies for the position of CEO and other designated senior employees advertised and did the advertising comply with s.5.36(4), 5.37(3) and Admin Reg 18A.	N/A		Russ Fishwick
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	N/A		Russ Fishwick
4	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	N/A		Russ Fishwick
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	N/A		Russ Fishwick

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Town of Victoria Park – First Quarter Compliance Audit Return

Official Conduct						
No	Reference	Question	Response	Comments	Respondent	
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.	N/A	Nothing recorded as no complaints were lodged.	Russ Fishwick	
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).	N/A		Russ Fishwick	
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.	Yes		Russ Fishwick	
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	Yes		Russ Fishwick	
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred.	Yes		Russ Fishwick	
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) or (c).	Yes		Russ Fishwick	

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Town of Victoria Park – First Quarter Compliance Audit Return

Tenders for Providing Goods and Services					
No	Reference	Question	Response	Comments	Respondent
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	Yes		Ann Thampoe
2	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract.	Yes		Ann Thampoe
3	F&G Reg 14(1) & (3)	Did the local government invite tenders via Statewide public notice.	Yes		Ann Thampoe
4	F&G Reg 14 & 15	Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16.	Yes		Ann Thampoe
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		Ann Thampoe
6	F&G Reg 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Reg 16.	Yes		Ann Thampoe
7	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	Yes		Ann Thampoe
8	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	Yes		Ann Thampoe
9	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17.	Yes		Ann Thampoe
10	F&G Reg 19	Was each tenderer sent written notice advising particulars of the	Yes		Ann Thampoe

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		successful tender or advising that no tender was accepted.			
11	F&G Reg 21 & 22	Did the local government's advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22.	Yes		Ann Thampoe
No	Reference	Question	Response	Comments	Respondent
12	F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice.	Yes		Ann Thampoe
13	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	Yes		Ann Thampoe
14	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	Yes		Ann Thampoe
15	F&G Reg 24AD(2)	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice.	No		Ann Thampoe
16	F&G Reg 24AD(4) & 24AE	Did the local government's advertising and panel documentation comply with F&G Regs 24AD(4) & 24AE.	N/A		Ann Thampoe
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16 as if the reference in that regulation to a tender were a reference to a panel application.	N/A		Ann Thampoe
18	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application, notice of the variation.	N/A		Ann Thampoe

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19	F&G Reg 24AH(1)	Did the local government reject the applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time specified in the invitation for applications.	N/A		Ann Thampoe
20	F&G Reg 24AH(3)	In relation to the applications that were not rejected, did the local government assess which application(s) to accept and which application(s) were most advantageous to the local government to accept, by means of written evaluation criteria.	N/A		Ann Thampoe
21	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers, comply with the requirements of F&G Reg 24AG.	N/A		Ann Thampoe
No	Reference	Question	Response	Comments	Respondent
22	F&G Reg 24AI	Did the local government send each person who submitted an application, written notice advising if the person's application was accepted and they are to be part of a panel of pre-qualified suppliers, or, that the application was not accepted.	N/A		Ann Thampoe
23	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government comply with the requirements of F&G Reg 24E in relation to the preparation of a regional price preference policy (only if a policy had not been previously adopted by Council).	N/A		Ann Thampoe
24	F&G Reg 24F	Did the local government comply with the requirements of F&G Reg 24F in relation to an adopted regional price preference policy.	N/A		Ann Thampoe
25	F&G Reg 11A	Does the local government have a current purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$150,000 or less.	Yes		Ann Thampoe