



Shire of
Perenjori
Embrace Opportunity

AGENDA
for the
SPECIAL MEETING
OF COUNCIL

25 MARCH 2021



NOTICE OF A SPECIAL MEETING OF COUNCIL

Dear Council Member

Pursuant to *Section 5.25(1)(g) of the Local Government Act 1995 and Regulation 12(3) of the Local Government (Administration) Regulations 1996*, Public Notice is hereby given that:

A Special Meeting of Council will be held on Thursday 25 March 2021 at 2:00 PM in the Shire of Perenjori Council Chambers, 56 Fowler Street Perenjori.

The purpose of the meeting is:

1. Adoption of the Compliance Audit Return 2020
2. Reconsider the Local Roads & Community Infrastructure Program Item

A handwritten signature in black ink, appearing to read 'Mario Romeo', is positioned above the printed name and title.

Mario Romeo
CHIEF EXECUTIVE OFFICER

Date: 22 March 2021

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COUNCIL ROLE

Advocacy	When Council advocates on its own behalf or on behalf of its community to another level of government /body /agency.
Executive/Strategic	The substantial direction setting and oversight role of the Council e.g. Adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
Legislative	Includes adopting local laws, town planning schemes and policies.
Review	When Council reviews decisions made by Officers.
Quasi-Judicial	When Council determines an application/matter that directly affects a person's rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.

Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g.: under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.

DISCLAIMER

“Any statement, comment or decision made at a Council or Committee meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity that has an application before the Shire must obtain, and should only rely on, written notice of the Shire's decision and any conditions attaching to the decision and cannot treat as an approval anything said or done at a Council or Committee meeting.

Any advice provided by an employee of the Shire on the operation of a written law, or the performance of a function by the Shire, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire should be sought in writing and should make clear the purpose of the request.”

SHIRE OF PERENJORI

Agenda for the Shire of Perenjori Special Meeting of Council to be held on Thursday 25 March 2021, at the Shire of Perenjori Council Chambers, 56 Fowler Street, Perenjori WA 6620 commencing at 2:00 pm.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS:

The Presiding Member to declare the meeting open and welcome those in attendance.

Welcome to Country:

As per the Shire of Perenjori Policy (N° 1021) we wish to acknowledge the traditional owners of the land upon which the Shire of Perenjori is situated and to demonstrate respect for the original custodians.

Therefore, I respectfully acknowledge the past and present custodians of the land on which we are meeting, the Badymia people.

I also acknowledge the pioneers who settled this country, developed the land and turned it into the productive country that we know today, allowing us to enjoy the lifestyle to which we have become accustomed.

2. OPENING PRAYER:

Shire President to read.

3. DISCLAIMER READING:

As printed.

4. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:

4.1 ATTENDANCE:

MEMBERS:

STAFF:

DISTINGUISHED VISITORS:

MEMBERS OF THE PUBLIC:

LEAVE OF ABSENCE:

APOLOGIES:

5. PUBLIC QUESTION TIME:

5.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE:

5.2 QUESTIONS WITHOUT NOTICE:

6. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION:

7. PETITIONS/DEPUTATIONS/PRESENTATIONS:

8. ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED:

Matters Behind Closed Doors

In accordance with Section 5.23(2) of the Local Government Act 1995, the meeting is closed to the members of the public for this item as the following sub-section applied:

A matter affecting an employee or employees

The personal affairs of any person;

A matter that if disclosed, would reveal –

A trade secret; or

Information that has a commercial value to a person; or

Information about the business, professional, commercial or financial affairs of a person.

9. DECLARATION OF INTEREST:

"Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences."

10. ADOPTION OF COMPLIANCE AUDIT RETURN

Applicant:	Shire of Perenjori
File:	ADM0057
Disclosure of Interest:	Nil
Author:	Mario Romeo - Chief Executive Officer
Responsible Officer:	Mario Romeo - Chief Executive Officer
Attachments:	10 (a) Compliance Audit Return 2020

Executive Summary:

This Item recommends that the Audit Committee accepts the attached Compliance Audit Return.

Background:

Local Governments are required to carry out a compliance audit in relation to the period 1 January to 31 December each year relative to the requirements set out in the attached document.

The return is completed online via the Department of Local Government (DLG) website and provided to the Audit Committee prior to being referred to the Council for adoption.

The return addresses various compliance matters with which local government CEO'S must advise the Department they have complied with or explain why a matter was not compliant.

Statutory Environment:

Local Government (Audit) Regulations 1996 clause 14 requires adoption of the Return prior to providing it to the Department of Local Government.

Policy Implications:

Nil.

Legal Compliance:

Nil.

Risk Management:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Risk ensuring compliance with Acts and Regulations ensuring accountability to the Council and community.	The level of risk is dependent on the implications of compliance or non-compliance.	Each relevant employee reports on matters of compliance for their area of responsibility.

Consultation:

Accountant.

Financial Implications:

Nil.

Strategic Community Plan:

Area 5: Investing in Councils Leadership.

Goal: Strengthen the Shire's position as an innovative, independent local government providing excellence in all areas of governance, management and leadership.

CEO Comment:

One significant non – compliance item in the report is Audit Reg 17 (optional question No 2) has not been completed. Also, the Shire is still awaiting the finalisation of the 2019/20 Financial Report (finance question No 5). This was submitted to AMD (our Auditors) prior to the deadline of September 30th, 2020 but had to be revised due to regulatory changes. The regulatory changes were to come into effect on the 1st July 2019 in relation to the value for crown land and any revaluation on plant & equipment type assets. The regulatory changes were gazetted on the 7th November 2020. Whilst the result had an insignificant impact on our organisations reporting it (in our view) has been the main reason for the delay in finalisation of our 2019/20 financial statements, along with many other local government entities.

Voting Requirements: Absolute Majority

No Change. OR:

As per Local Government (Administration) Regulations 1996 11(da) Council records the following reasons for amending the Officer Recommended Resolution:

10.1 ADOPTION OF COMPLIANCE AUDIT RETURN 2020

COMMITTEE RECOMMENDATION

THAT the 2020 Compliance Audit Return be endorsed, and it be submitted to the Department of Local Government, Sport & Cultural industries by the 31st March 2021.

11. LOCAL ROADS & COMMUNITY INFRASTRUCTURE PROGRAM

Applicant:	Shire of Perenjori
File:	ADM 0832
Disclosure of Interest:	Nil
Author:	Ken Markham – Manager Infrastructure Services
Responsible Officer:	Mario Romeo - Chief Executive Officer
Attachments:	Nil

Please note that this item was deferred from the Ordinary Council Meeting held on 18 March 2021.

Executive Summary:

This report outlines the allocations made to the Shire of Perenjori as part of the Federal Government's COVID19 response packages and seeks Council's endorsement of the proposed expenditure program, noting that expenditure must be completed by December 2021.

Background:

The last Federal Budget incorporated a range of expenditure programs which were designed to combat the impacts of the COVID19 pandemic on the Australian economy. The most significant of these for Local Governments was the Local Roads & Community Infrastructure Program.

Two allocations under this program have been made to Local Governments. The Shire of Perenjori was allocated \$571,000.00 in the first tranche, and \$396,417.00 in the second distribution.

Statutory Environment:

Federal Budget allocations.

Local Roads & Community Infrastructure Program requirements.

Policy Implications:

Nil.

Budget Implications:

Nil.

Risk Management:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Financial management and grant compliance	Low	Advice from Department of Local Government, WALGA and Treasury. Early engagement with funding agencies and auditors.

Consultation:

CEO, (former) Commissioner, Accountant, MIS, Council.

Strategic Community Plan:

Area 5: Investing in Council's Capacity – Our Leadership

Goal: Strengthen the Shire's position as an innovative and proactive local Government providing excellence in all areas of governance, management and leadership.

Comment:

The first tranche of funding (\$571,000.00) was made to Perenjori as part of the initial Federal COVID19 response, prior to the election of the new Council.

Discussions with the (former) Commissioner, informed by an analysis of our strategic planning and an assessment of our capability, resulted in the following projects being identified as appropriate and achievable by the June 2021 expenditure deadline;

- Replacement of footpath and kerbing along Fowler Street- \$237,256
- Installation of CCTV at various locations in Perenjori - \$60,000
- Installation of concrete footpath along Livingstone Street - \$79,500
- Installation of concrete footpath along Crossing Street- \$70,000
- Reseal Britt Street and replace kerbing- \$125,000

The second tranche of funds was allocated to the Shire of Perenjori late December 2020 and officers have provisionally allocated the following list of projects to the \$396,417.00 of funding;

- **Installation of three shelters at Camel soak - \$20,000**
- **Installation of two shelters at Maya - \$12,000**
- **Installation of BBQ, Shelter and table/seating at Latham Community centre - \$18,000**
- **Refurbishment of Oval public toilets- \$20,000**
- **Refurbishment of Main Street toilets- \$70,000**
- **Replacement of Caravan park fencing- \$65,000**
- **Refurbishment of Perenjori Sports club male toilets- \$26,252**
- **Upgrade/ refurbishment of camp kitchen at caravan park- \$25,000**
- **Installation of two shelters and table/seating Fowler street- \$20,000**
- **Refurbishment of ablutions at caravan park- \$40,000**
- **Replacement of two tennis court surfaces- \$80,165**

Under the terms of the grants, funds must be expended by December 2021 or Council risks losing the allocation.

Any project submitted will need to be approved by the Department of Infrastructure, Transport, Regional Development and Communication before they can be undertaken.

It is important that Council confirms the project allocations so that these works can be progressed within the available timeframe to meet our accountability requirements.

Voting Requirements: Simple Majority

Change to Officer Recommendation

No Change. OR:

As per Local Government (Administration) Regulations 1996 11(da) Council records the following reasons for amending the Officer Recommended Resolution:

11.1 LOCAL ROADS & COMMUNITY INFRASTRUCTURE PROGRAM

OFFICER RECOMMENDATION

THAT the following project allocations against the Local Roads & Community Infrastructure Program grant funds Phase 2 be endorsed.

- **Installation of three shelters at Camel soak - \$20,000**
- **Installation of two shelters at Maya - \$12,000**
- **Installation of BBQ, Shelter and table/seating at Latham Community centre - \$18,000**
- **Refurbishment of Oval public toilets- \$20,000**
- **Refurbishment of Main Street toilets- \$70,000**
- **Replacement of Caravan park fencing- \$65,000**
- **Refurbishment of Perenjori Sports club male toilets- \$26,252**
- **Upgrade/ refurbishment of camp kitchen at caravan park- \$25,000**
- **Installation of two shelters and table/seating Fowler street- \$20,000**
- **Refurbishment of ablutions at caravan park- \$40,000**
- **Replacement of two tennis court surfaces- \$80,165**

12. CONFIDENTIAL REPORTS

13. REPORTS OF COMMITTEES AND MEMBERS

14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

15. NOTICE OF MOTIONS

(for consideration at the following meeting, if given during the meeting).

16. NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL

17. CLOSURE OF MEETING

18. NEXT MEETING:

The next Ordinary Meeting of Council will be held on 22 April 2021, commencing at 3:00 pm at the Shire of Perenjori Council Chambers 56 Fowler Street, Perenjori WA 6620.



Shire of
Perenjori
Embrace Opportunity

ATTACHMENT
Item 10 (a)

Compliance Audit Return 2020

SPECIAL COUNCIL MEETING 25 MARCH 2021



Perenjori - Compliance Audit Return 2020

Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government, Sport and Cultural Industries together with a copy of the relevant minutes.

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2020?	N/A		Mario Romeo
2	s3.59(2)(b) F&G Regs 7,8,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2020?	N/A		Mario Romeo
3	s3.59(2)(c) F&G Regs 7,8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2020?	N/A		Mario Romeo
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2020?	N/A		Mario Romeo
5	s3.59(5)	During 2020, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A		Mario Romeo



Delegation of Power/Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16	Were all delegations to committees resolved by absolute majority?	N/A	Committees are advisory without delegated authority.	Mario Romeo
2	s5.16	Were all delegations to committees in writing?	N/A	Committees are advisory without delegated authority.	Mario Romeo
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	N/A	Committees are advisory without delegated authority.	Mario Romeo
4	s5.18	Were all delegations to committees recorded in a register of delegations?	N/A		Mario Romeo
5	s5.18	Has council reviewed delegations to its committees in the 2019/2020 financial year?	Yes		Mario Romeo
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		Mario Romeo
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes		Mario Romeo
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes		Mario Romeo
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes		Mario Romeo
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		Mario Romeo
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		Mario Romeo
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2019/2020 financial year?	Yes		Mario Romeo
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		Mario Romeo

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		Mario Romeo



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		Mario Romeo
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		Mario Romeo
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		Mario Romeo
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2020?	Yes		Mario Romeo
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		Mario Romeo
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		Mario Romeo
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		Mario Romeo
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		Mario Romeo
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		Mario Romeo
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		Mario Romeo
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	No		Mario Romeo
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		Mario Romeo



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	From my knowledge	Mario Romeo
15	Rules of Conduct Reg 11(1), (2) & (4)	Where a council member had an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person, did they disclose the interest in accordance with Rules of Conduct Reg 11(2)?	Yes		Mario Romeo
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		Mario Romeo
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	No situation arose during the 2020 year.	Mario Romeo
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?	Yes	No situation arose during the 2020 year.	Mario Romeo
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	The requirement did not arise in the 2020 year.	Mario Romeo
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		Mario Romeo
21	Admin Reg 34B(5)	Has the CEO kept a register of notifiable gifts in accordance with Admin Reg 34B(5)?	Yes		Mario Romeo

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) (unless section 3.58(5) applies)?	N/A	No situation arose	Mario Romeo
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	No situation arose	Mario Romeo



Elections					
No	Reference	Question	Response	Comments	Respondent
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate?	Yes		Mario Romeo
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years?	Yes		Mario Romeo
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with Elect Reg 30G(6)?	Yes		Mario Romeo

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		Mario Romeo
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		Mario Romeo
3	s7.3(1) & s7.6(3)	Was the person or persons appointed by the local government to be its auditor appointed by an absolute majority decision of council?	N/A	Auditor appointed by OAG	Mario Romeo
4	s7.3(3)	Was the person(s) appointed by the local government under s7.3(1) to be its auditor a registered company auditor or an approved auditor?	N/A	Auditor appointed by OAG	Mario Romeo
5	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2020 received by the local government by 31 December 2020?	No	Fin year 2020 Auditors report has yet to be received.	Mario Romeo
6	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	Yes	Yes, for previous annual audit reports (Fin yr 2020 report still outstanding)	Mario Romeo



No	Reference	Question	Response	Comments	Respondent
7	s7.12A(4)(a)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters?	Yes	Yes, for previous annual audit reports	Mario Romeo
8	s7.12A(4)(b)	Where the local government was required to prepare a report under s.7.12A(4)(a), was a copy of the report given to the Minister within three months of the audit report being received by the local government?	N/A	Fin year 2020 Auditors report has yet to be received.	Mario Romeo
9	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under s7.12A(4)(b), did the CEO publish a copy of the report on the local government's official website?	N/A	Fin year 2020 Auditors report has yet to be received.	Mario Romeo
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives and scope of the audit, a plan for the audit, details of the remuneration and expenses paid to the auditor, and the method to be used by the local government to communicate with the auditor?	No	It included all but the remuneration and expenses to be paid to the Auditor	Mario Romeo
11	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June received by the local government within 30 days of completion of the audit?	N/A	Audit has yet to be completed	Mario Romeo

Integrated Planning and Reporting

No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	05/06/2018	Mario Romeo
2	Admin Reg 19DA (1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	5/6/2018	Mario Romeo
3	Admin Reg 19DA (2) & (3)	Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)?	Yes		Mario Romeo



Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve a process to be used for the selection and appointment of the CEO before the position of CEO was advertised?	Yes	As far as I'm aware	Mario Romeo
2	s5.36(4) & s5.37 (3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Admin Reg 18A?	Yes	As far as I'm aware	Mario Romeo
3	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	Yes	As far as I'm aware	Mario Romeo
4	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4)?	Yes	As far as I'm aware	Mario Romeo
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	Yes	Recruitment of a DCEO during 2020.	Mario Romeo
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	No situation has arisen	Mario Romeo

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		Mario Romeo
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a)?	Yes	Separate Complaints Register for Public complaints and complaints made by Council members against each other.	Mario Romeo
3	s5.121(2)	Does the complaints register include all information required by section 5.121 (2)?	Yes		Mario Romeo
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	Yes		Mario Romeo

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 2020? If yes, please provide the date of council's resolution to accept the report.	Yes	Council accepted the report at the Ordinary Council meeting held on the 15th September 2020.	Mario Romeo
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Audit Reg 17 within the three years prior to 31 December 2020? If yes, please provide date of council's resolution to accept the report.	No	The process has been commenced but not completed due to illness of the party contracted to perform the task	Mario Romeo
3	s5.87C(2)	Where a disclosure was made under sections 5.87A or 5.87B, was the disclosure made within 10 days after receipt of the gift?	N/A	No situation has arisen to my knowledge	Mario Romeo
4	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B, did the disclosure include the information required by section 5.87C?	N/A	No situation has arisen to my knowledge	Mario Romeo
5	s5.90A(2)	Did the local government prepare and adopt by absolute majority a policy dealing with the attendance of council members and the CEO at events?	Yes		Mario Romeo
6	s.5.90A(5)	Did the CEO publish an up-to-date version of the attendance at events policy on the local government's official website?	Yes		Mario Romeo
7	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4)?	Yes		Mario Romeo
8	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes		Mario Romeo
9	s5.127	Did the local government prepare a report on the training completed by council members in the 2019/2020 financial year and publish it on the local government's official website by 31 July 2020?	N/A	Commissioner in place until October 2020.	Mario Romeo
10	s6.4(3)	By 30 September 2020, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2020?	Yes		Mario Romeo



Tenders for Providing Goods and Services					
No	Reference	Question	Response	Comments	Respondent
1	F&G Reg 11A(1) & (3)	Does the local government have a current purchasing policy that complies with F&G Reg 11A(3) in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Mario Romeo
2	F&G Reg 11A(1)	Did the local government comply with its current purchasing policy in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Mario Romeo
3	s3.57 F&G Reg 11	Subject to F&G Reg 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in F&G Reg 11(1)?	Yes	2 Instances whereby the WALGA Preferred Suppliers Program used to procure .	Mario Romeo
4	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with F&G Reg 14(3) and (4)?	N/A		Mario Romeo
5	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than a single contract?	N/A		Mario Romeo
6	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer notice of the variation?	Yes		Mario Romeo
7	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Regs 15 and 16?	Yes	Performed via E-quotes	Mario Romeo
8	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes		Mario Romeo
9	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	Yes		Mario Romeo



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No	Reference	Question	Response	Comments	Respondent
10	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	Yes		Mario Romeo
11	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes		Mario Romeo
12	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of F&G Regs 21 and 22?	N/A	Nil Expression of Interest Conducted	Mario Romeo
13	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A	Nil Expression of Interest Conducted	Mario Romeo
14	F&G Reg 23(3)	Were all expressions of interest that were not rejected assessed by the local government?	N/A	Nil Expression of Interest Conducted	Mario Romeo
15	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services as an acceptable tenderer?	N/A	Nil Expression of Interest Conducted	Mario Romeo
16	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with F&G Reg 24?	N/A	Nil Expression of Interest Conducted	Mario Romeo
17	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with F&G Reg 24AD(4) and 24AE?	N/A	Panel Procurement not conducted in 2020	Mario Romeo
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	Panel Procurement not conducted in 2020	Mario Romeo
19	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A	Panel Procurement not conducted in 2020	Mario Romeo
20	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of F&G Reg 24AG?	N/A	Panel Procurement not conducted in 2020	Mario Romeo



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No	Reference	Question	Response	Comments	Respondent
21	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A	Panel Procurement not conducted in 2020	Mario Romeo
22	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	N/A	Panel Procurement not conducted in 2020	Mario Romeo
23	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A	Panel Procurement not conducted in 2020	Mario Romeo
24	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of F&G Regs 24E and 24F?	Yes		Mario Romeo

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

Signed Mayor/President, Perenjori

Signed CEO, Perenjori